



FEDERAL REGISTER

VOLUME 11

NUMBER 151

Washington, Saturday, August 3, 1946

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 942—MILK IN THE NEW ORLEANS,
LOUISIANA MARKETING AREA

HANDLING OF MILK

§ 942.0 Findings and determinations—(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., § 900.1 et seq.; 10 F.R. 11791), a public hearing was held March 6-7, 1946, inclusive, upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area. It is hereby found upon the basis of the evidence introduced at such hearing, in addition to the other findings made prior to or at the time of the original issuance of said order and of each amendment thereto (which findings are hereby ratified and affirmed, save only as such findings are in conflict with the findings hereinafter set forth), that:

(1) The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act:

(2) The prices calculated to give milk produced for sale in the New Orleans, Louisiana, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such

milk, and the minimum prices set forth in the said order, as amended and as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby amended, regulates the handling of milk in the same manner, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers (excluding co-operative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, which is marketed within the New Orleans, Louisiana, marketing area, refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the said order, as amended and as hereby amended, is the only practical means pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (April 1946), were engaged in the production of milk for sale in the said marketing area.

It is hereby ordered, That such handling of milk in the New Orleans, Louisiana, marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce in milk or its products shall

(Continued on p. 8435)

CONTENTS

REGULATIONS AND NOTICES

	Page
AGRICULTURE DEPARTMENT. <i>See also Farm Security Administration.</i>	
Fish, imported salted; allocation (WFO 72, Am. 7)	8435
Milk handling, New Orleans, La.	8433
Sirup, refiners' (WFO 7, Am. 4)	8435
ALIEN PROPERTY CUSTODIAN:	
Vesting orders, etc.:	
Costs and expenses incurred in certain California courts	8474
Dirks, Harm	8475
Frenzel, Augusta	8476
Freund, Ludwig Abraham	8476
Gatjen, Anna	8477
Gerken, Maria	8477
Giudice, Maria	8478
Goevert, Frau Wm. Aug	8478
Grewing, Karl	8478
Grode, Elisabeth	8479
Grubel, Elisabeth	8479
Gruner, Else	8480
Zu Lynar, Graf Georg	8476
CUSTOMS BUREAU:	
Canadian halibut fishing vessels, permission to land catch in Alaska	8437
FARM SECURITY ADMINISTRATION:	
Farm management units, family-size, determination of average value; Alabama, Florida, Georgia, South Carolina	8453
FOREIGN-TRADE ZONES BOARD:	
New Orleans Port, application for authority to conduct temporary operations in part of Foreign-Trade Zone No. 2 during emergency	8454
HOUSING EXPEDITER, OFFICE OF:	
Premium payments; hardwood flooring:	
Northern area	8442
Southern area	8438
INTERNAL REVENUE BUREAU:	
Tax returns, inspection by special committee to investigate operation of national-defense program	8446
INTERSTATE COMMERCE COMMISSION:	
Aluminum at Wichita, Kans., unloading	8454



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CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued.	Page
Car service:	
Box cars, rough, for loading shingles from Oregon and Washington	8452
Citrus, salting of ice	8452
Demurrage charges:	
Closed box cars	8453
Coal	8451
Gondola, open and covered hopper cars	8453
Mexican border points	8451
Freight, less-than-carload, reduction of free time at Mexican border points	8452
Ice in refrigerator cars, suspension of tariff for removal by consignee	8451
Livestock cars, movements	8451

CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued.	Page
Car service—Continued.	
Military, naval or merchant marine personnel, disabled; transportation priority	8452
Potatoes, restriction on reconsignment and diversion	8452
Refrigerator cars	8451
Use for transporting ice	8451
Cars, refrigeration, at New Orleans, La.	8454
OFFICE OF PRICE ADMINISTRATION:	
Adjustments and pricing orders:	
Block, M., and Sons	8456
Burget Mfg. Co.	8465
Burndy Engineering Co., Inc.	8458
Columbia Glass Co.	8465
Compton Coal Co. et al.	8460
Eagle Woodenware Mfg. Co.	8458
Elba Coal Co., Inc.	8459
Ferguson Bros. Mfg. Co.	8470
Franklin Hills Mining Co.	8459
Gayden Lamps, Inc.	8464
Green River Chair Co.	8467
Herring - Hall - Marvin Safe Co.	8457
Kurtz Bros., Inc.	8457
Larelen Lamp Co., Inc.	8462
Lockhart Mfg. Co.	8460
Longeval Shade and Lamp Mfg. Co.	8463
Menczers Lamp Co.	8464
New England Bedding Co.	8456
Northern Chair Co.	8458
Rey-Lite Mfg. Co.	8463
Seaboard Sales & Mfg. Co.	8465
Shelbyville Desk Co.	8459
Stratton Broom Co.	8461
York Corp.	8461
Defense rental areas; hotels (Am. 91)	8448
Flooring:	
Hardwood, northern (MPR 432, Am. 10)	8448
Oak, pecan and miscellaneous hardwood (MPR 458, Am. 7)	8448
Foods and beverages (SR 14C, Am. 19)	8449
Garments, low priced (2d Rev. MPR 578, Am. 7)	8446
Lumber, hardwood:	
Appalachian (MPR 146, Order 1)	8466
Central (MPR 155, Order 1)	8467
Northeastern (MPR 368, Order 3)	8467
Northern (MPR 223, Order 1)	8466
Southern (RMPR 97, Order 8)	8466
Pears, exemption and suspension from price control (SO 132, Am. 41)	8448
Regional and district office orders. See also Adjustments.	
Beer, imported Mexican, Chicago region	8472
Building materials:	
Camden and Gloucester Counties, N.J.	8470

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Regional and district office orders—Continued.	
Building materials—Con.	
Decatur, Ill., area	8470
Newark, N. J., district	8470
Phillips and Lee Counties, Ark	8469
Wichita, Kans., district	8468
Community ceiling prices, lists of orders filed (2 documents)	8468, 8472
Fruits and vegetables, New Jersey	8468
Fuels, solid, Chicago region	8473
Malt and cereal beverages, Raleigh, N. C., district	8471
Transportation by carriers other than common carriers, California	8473
Shovels, spades and scoops (MPR 188, Revocation of Order 4973)	8467
Silver (RMPR 198, Am. 2)	8448
Tools:	
Hand (MPR 188, Order 5105)	8455
Cutting (MPR 188, Revocation of Order 4991)	8467
Mechanics service (MPR 188, Revocation of Order 4990)	8467
Heavy forged (MPR 188, Revocation of Order 5041)	8467
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
American Public Welfare Trust and A. P. W. Products Co., Inc.	8473
Filene's, Wm., Sons Co.	8473
Greene & Co.	8474
North American Co.	8474
St. Louis Car Co.	8474
Standard Gas and Electric Co.	8473
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.	
TITLE 7—AGRICULTURE:	
Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders):	
Part 942—Milk in New Orleans, La., area	8433
TITLE 19—CUSTOMS DUTIES:	
Chapter I—Bureau of Customs: Part 4—Vessels in foreign and domestic trades	8437
TITLE 24—HOUSING CREDIT:	
Chapter VIII—Office of Housing Expediter: Part 805—Premium payments (2 documents)	8438, 8442
TITLE 26—INTERNAL REVENUE:	
Chapter I—Bureau of Internal Revenue: Part 458—Inspection of returns	8446

from the effective date hereof be in compliance with the terms and conditions of the said order, as amended and as hereby amended; and the said order, as amended, is hereby amended as follows:

1. Delete from § 942.5 (a) the phrase "the higher of the prices determined pursuant to (1) and (2) of this paragraph" and substitute therefor the phrase "the highest of the prices computed by the market administrator pursuant to (1), (2), and (3) of this paragraph"; and add at the end of § 942.5 (a) a new subparagraph to read as follows:

(3) The price per hundredweight computed by adding together the plus amounts pursuant to (i) and (ii) of this subparagraph:

(i) From the average wholesale price per pound of 92-score butter at Chicago, as reported by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this price reporting function) for the delivery period during which such milk was received, subtract 3 cents, add 20 percent thereof, and then multiply by 3.5; and

(ii) From the average of the carlot prices per pound of nonfat dry milk solids for human consumption, spray and roller process, f. o. b., manufacturing plants, as published by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this price reporting function) for the Chicago area for the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such nonfat dry milk solids for the previous delivery period, deduct 4 cents, multiply by 8.5, and then multiply by 0.965.

2. Delete § 942.5 (b) (1) and substitute therefor the following:

(1) For such skim milk and butterfat received at such handlers plant located in the 61-70 mile zone, the minimum prices shall be as follows, computed by the market administrator:

(i) Add \$1.05 to the basic formula price.

(ii) The price of butterfat shall be the sum obtained in (i) of this paragraph multiplied by 17.5.

(iii) The price of skim milk shall be computed by (a) multiplying the price of butterfat pursuant to (ii) of this paragraph by 0.04; (b) subtracting such amount from the sum obtained in (i) of this paragraph; (c) dividing such net amount by 0.96; and (d) rounding off to the nearest full cent.

3. Delete § 942.5 (c) and substitute therefor the following:

(c) *Class II Prices.* Each handler shall pay producers, in the manner set forth in § 942.8, for skim milk and butterfat in milk purchased or received from them during each delivery period and classified as "net pooled Class II skim milk" and "net pooled Class II butterfat," the minimum prices per hundredweight as follows, computed by the market administrator:

(1) Add \$0.55 to the basic formula price.

(2) The price of butterfat shall be the sum obtained in (1) of this paragraph, multiplied by 17.5.

(3) The price of skim milk shall be computed by (i) multiplying the price of butterfat pursuant to (2) of this paragraph by 0.04; (ii) subtracting such amount from the sum obtained in (1) of this paragraph; (iii) dividing such net amount by 0.96; and (iv) rounding off to the nearest full cent.

4. Add as § 942.13 the following:

§ 942.13 Separability of provisions. If any provision hereof, or its application to any person or circumstance, is held invalid, the application of such provision and of the remaining provisions hereof to other persons or circumstances shall not be affected thereby.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Issued at Washington, D. C., this 26th day of July 1946, to be effective on and after the 6th day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

Approved: August 1, 1946.

JOHN R. STEELMAN,
Economic Stabilization Director.

[F. R. Doc. 46-13467; Filed, Aug. 2, 1946;
11:11 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 7, Amdt. 4]

PART 1430—SUGAR

PRODUCTION OF REFINERS' SIRUP

War Food Order No. 7, as amended (8 F. R. 10506), is hereby further amended as follows:

1. By adding immediately after paragraph (a) (6) the following new paragraphs:

(7) "Refiners' sirup" means any liquid product obtained in the process of refining raw sugar which is not defined as "sugar" in 3d Revised Ration Order 3 issued by the Office of Price Administration and any subsequent amendments thereto, but does not include refiners' blackstrap and filtered blackstrap containing less than 76 percent total sugars, dry basis.

(8) "Base period rate of production" of refiners' sirup means the production of refiners' sirup per ton of raw sugar 96^o basis, melted for any purpose in any three calendar years selected by the refiner from the five years 1941 to 1945, both inclusive.

2. By adding immediately after paragraph (c) (3), the following new paragraph:

(4) No refiner shall, during any calendar quarter beginning with the third calendar quarter of 1946, produce refiners' sirup at a rate of production per ton of raw sugar 96^o basis, in excess of his base period rate of production of refiners' sirup.

This amendment shall become effective at 12:01 a. m., e. s. t., July 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 7, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceedings, with respect to any such violations, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 2d day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-13468; Filed, Aug. 2, 1946;
11:11 a. m.]

[WFO 72, Amdt. 7]

PART 1465—FISH AND SHELLFISH

ALLOCATION OF IMPORTED SALTED FISH

War Food Order No. 72, as amended (10 F.R. 8599, 14775; 11 F.R. 5105), is hereby further amended to read as follows:

§ 1465.23 Regulations relative to the importation of salted fish into the United States—(a) Definitions. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Salted fish" means any one or more of the following species of fish if cured or preserved in any manner with the use of salt, but does not mean the following species of fish if smoked or packed in air-tight containers: Cod (*Gadus macrocephalus* and *Gadus callarias*), haddock (*Melanogrammus aeglefinus*), hake (*Urophycis* species and *Merluccius productus*), pollock (*Pollachius virens*), cusk (*Brosnius brosme*), ling (*Molva molva*), and saithe (*Gadus virens*).

(3) "Dry" means to arrange salted fish in a single layer only and to reduce the moisture content of such salted fish to a desired percentage, by weight, by exposing such salted fish (i) to the sun and air or (ii) to artificially created currents of air in specially constructed dryers.

(4) "Green-salted fish," "wet-salted fish," "pickle-cured fish," or "kench-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has not been dried, and (iii) contains more than 43 percent of moisture, by weight.

(5) "Semi-dried fish" or "soft-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains more than 43 percent of moisture, by weight.

(6) "Dried fish" or "dry-salted fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains not more than 43 percent of moisture, by weight.

(7) "Boneless fish" means salted fish, whether or not dried, which is skinned or boned, wholly or partially.

(8) "1946 pack" means the salted fish produced from the fish caught during the calendar year of 1946.

(9) "Import" means (i) to enter for consumption in the continental United States from any foreign country, including, but not being limited to, the Treaty Coasts defined in the Treaty of October 20, 1818, between the United States and Great Britain, entitled "Convention Respecting Fisheries, Boundary, and the Restoration of Slaves," proclaimed on January 30, 1819, or (ii) to withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, for consumption in the continental United States.

(10) "Importer" means any person who is the first owner, in the continental United States, of imported salted fish; and it is immaterial, in determining whether a person is an importer, whether or not the United States import duty if any, or any other payment was made through or by a customs broker, nominal consignee, or other agent.

(11) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any officer or employee of the Department to whom the Administrator has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, authority to act in his stead.

(12) "Government agency" means any of the following: (i) the Armed Services of the United States (excluding, for the purposes of this order, the United States Army post exchanges, the United States Navy ships' service departments, and the United States Marine Corps post exchanges); (ii) the United States Department of Agriculture (including, but not being limited to, any corporate agency thereof); (iii) the War Shipping Administration; (iv) the United States Veterans' Administration; and (v) any other instrumentality or agency designated by the Administrator.

(13) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(b) *Allocations.* (1) No person shall import, or have imported for his account, into the continental United States, for consumption in the continental United States, any salted fish except in accordance with an allocation hereunder and pursuant to the provisions of this order.

(2) Unless otherwise ordered by the Administrator, each person is (subject to the limitation of the quota determined hereunder, the other provisions hereof, and to the import authorization under War Food Order No. 63 (9 F.R. 13280), as amended) hereby authorized to import, or have imported for his account, from the 1946 pack for consumption in the continental United States (i) from the Dominion of Canada, not more than 75 percent, net weight, of the quantity of salted fish imported therefrom in 1942 of which such person

was the importer; (ii) from Newfoundland, not more than 65 percent, net weight, of the total quantity of salted fish imported therefrom, and from Iceland, in 1942 of which such person was the importer; and (iii) from Norway, not more than 80 percent, net weight, of the average annual quantity of salted fish imported therefrom during the period 1938 to 1940, inclusive, of which such person was the importer. Each quantity of salted fish which was imported from Canada, Newfoundland, or Iceland in 1942 by, or for the account of, any such person for the use of any Government agency or sold in 1942 to any Government agency by such person subsequent to the importation of such salted fish shall be excluded from the aforesaid computation of such person's quota. The quota of salted fish which may be imported pursuant hereto shall be computed on the basis of dry-salted fish and may be imported as any one or more of the kinds of salted fish specified, respectively, in (a) (4), (5), (6), and (7) hereof: *Provided*, That the following conversion factors shall be applied in determining such quota and the quantity of salted fish to be imported pursuant to such quota: 1 pound of dried fish or dry-salted fish equals: (i) 1.75 pounds of green-salted fish, wet-salted fish, pickle-cured fish, or kench-cured fish; (ii) 1.5 pounds of semi-dried fish or soft-cured fish; (iii) 1 pound of boneless fish.

(3) Unless otherwise required pursuant to the provisions of the following sentence of this subparagraph (3), each person shall, prior to importing salted fish, submit to the Administrator, not later than August 7, 1946, a statement with respect to each lot of imported salted fish of which such person was the importer from Canada, Newfoundland, or Iceland in the calendar years 1942, 1943, 1944, and 1945, respectively, and in 1946 prior to the effective date hereof, showing: (i) the country of origin; (ii) the name of shipper; (iii) the net weight; (iv) the date and port of entry (including the entry number, if available); (v) the rate of duty paid; (vi) the name of the person making the United States Customs entry or withdrawal from the bonded custody of the United States Bureau of Customs; and (vii) the quantity of salted fish sold, in the calendar years 1942, 1943, 1944, and 1945, respectively, and in 1946 prior to the effective date hereof, by such person to Government agencies and the names of such Government agencies. Each such person who, for the purpose of the determination by the Administrator of such person's 1944 quota of salted fish, had previously submitted a statement pursuant to the provisions of War Food Order No. 72, as amended on June 29, 1944, with respect to each lot of imported salted fish of which such person was the importer in the calendar years 1942 and 1943, respectively, and the quantity of salted fish sold to Government agencies by such person in such calendar years, may omit from his submission of the statement required pursuant to the provisions of this subparagraph (3) the information applicable to the calendar years 1942, 1943, and 1944:*

Provided, That such person shall submit a statement to the Administrator with respect to the corrections, if any, which should be made in the statement previously submitted, as aforesaid.

Also, each person shall, prior to importing salted fish, submit to the Administrator, not later than August 7, 1946, a statement with respect to each lot of imported salted fish of which such person was the importer from Norway in the calendar years 1938, 1939, and 1940, showing: (i) the name of shipper; (ii) the net weight; (iii) the date and port of entry (including the entry number, if available); (iv) the rate of duty paid; and (v) the name of the person making the United States Customs entry or withdrawal from the bonded custody of the United States Bureau of Customs. The Administrator shall, from the information submitted to him and from such other information as may be available to him, determine, in accordance with the provisions of this order, each person's quota of salted fish which may be imported by, or for the account of, such person from the 1946 pack of salted fish: *Provided*, That the quantity of salted fish from the 1946 pack which was imported in 1946 prior to the effective date of this order by, or for the account of, any such person, shall be deducted in computing the respective person's quota, except that any such quantity of such salted fish which was imported by, or for the account of, such person for the use of any Government agency or was sold in 1946 by such person, subsequent to the importation of such salted fish and prior to the effective date hereof, to any Government agency shall not be deducted in computing such person's quota. The Administrator shall notify each person who complies with the provisions hereof relative to the respective person's quota determined pursuant hereto; and no such person shall import, or have imported for his account, any salted fish in excess of his quota. No quota shall be allocated, except under (h) hereof with respect to petitions for relief from hardship, to any person who fails to submit to the Administrator the aforesaid information on or before August 7, 1946, as required by this order.

(4) Each person's quota pursuant hereto is on condition that he shall (i) contract, on or before August 15, 1946, for the purchase of the entire quota of salted fish allocated hereunder to such person and (ii) submit to the Administrator, on or before August 25, 1946, a copy of each such contract: *Provided*, That no such contract need be submitted with respect to salted fish which are the product of the Dominion of Canada, the product of Norway, or which are the product of American fisheries and are from the Treaty Coasts or regions described in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain.

(c) *Additional allocations.* The Administrator may hereafter allocate among other persons, as well as to the United States Department of Agriculture (including, but not being limited to, any corporate agency thereof), (1) any portion of a person's quota which such person notifies the Administrator will not be

used by such person; (2) any person's quota which is not allocated to such person because of his failure to comply with the provisions of (b) (3) and (4) hereof; (3) any portion of any person's quota which is revoked in accordance with the applicable procedure as specified in (i) hereof; and (4) all other quantities of salted fish which, from time to time, the Administrator may determine to be available for importation. The Administrator may prescribe such methods and conditions of such subsequent allocations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order; and each person who receives an allocation pursuant to the provisions of this paragraph (c) may import, or have imported for his account, the salted fish covered by such allocation.

(d) *Exemption from quota restrictions.* The provisions of this order shall not be construed as restricting the importation of salted fish of the 1946 pack by or for a Government agency: *Provided*, That any such importation of salted fish by or for a Government agency shall be free from regulation hereunder only if, with respect to each such importation, a certificate is issued prior to the importation of the salted fish of the 1946 pack, by the Quartermaster General of the Army, the Chief of the Bureau of Supplies and Accounts or the Chief of the Bureau of Naval Personnel of the Navy, the Commandant of the United States Coast Guard, the Quartermaster of the United States Marine Corps, the Administrator of the War Shipping Administration, the Director of the Veterans' Administration, the Administrator, or the duly authorized representative of any of the foregoing, and such certificate (1) is issued to the person having the prime contract with a Government agency, and (2) specifies the following: the name of the importer supplying such salted fish and that such salted fish are for direct Army, Navy, Coast Guard, or Marine Corps issue or for contract feeding of the Army, the Navy, the Coast Guard, or the Marine Corps personnel, or for consumption on ships operating under the War Shipping Administration. Each person who asserts that a particular importation and delivery of salted fish is for a Government agency and is, therefore, exempt from quota restriction under this order, shall promptly submit to the Administrator a copy of each such certificate, and certify to the Administrator that such is a true and correct copy of the certificate issued, as aforesaid.

(e) *Audits and inspections.* The Administrator shall be entitled to make such audits and inspections of the books, records and other writings, premises or stocks of salted fish of any person, and to make such investigations, as may be necessary or appropriate, in the Administrator's discretion, to the enforcement or administration of the provisions of this order.

(f) *Records and reports.* (1) The Administrator shall be entitled to obtain such information from, and to require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Administrator's

discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Administrator may designate), maintain an accurate record of his transactions in salted fish.

(g) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of salted fish which any person is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with any Government agency.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 72, Special Commodities Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Administrator. The Administrator may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (h) shall not be construed to deprive the Administrator of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Administrator may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(i) *Violations.* Any person who violates any provision of this order, may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using salted fish. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this order, are hereby delegated to the Administrator. The Administrator is authorized to redelegate to any employee or employees of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be

designated by the Administrator to serve as Order Administrator.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise provided herein or in instructions issued by the Administrator, be addressed to the Order Administrator, WFO 72, Special Commodities Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(l) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., August 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 72, as amended, prior to the effective time of the provisions hereof, the provisions of War Food Order No. 72, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 31st day of July 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-13379; Filed, Aug. 1, 1946;
11:21 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51501]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

CANADIAN HALIBUT FISHING VESSELS GRANTED
PERMISSION TO LAND CATCH OF HALIBUT IN
ALASKA

JULY 29, 1946.

Waiving compliance with the provisions of section 4311 of the Revised Statutes.

Upon the written recommendation of the Acting Secretary of State and by virtue of the authority vested in me by section 501 of the Second War Powers Act, 1942 (50 U. S. C. App. Sup. 642), as extended by the act of June 29, 1946 (Public Law 475, 79th Congress), I hereby waive compliance with the provisions of section 4311 of the Revised Statutes (46 U. S. C. 251) to the extent necessary, until and including December 31, 1946, to permit Canadian fishing vessels engaged in the North Pacific halibut fishery only to land their catch of halibut in ports of entry in Alaska upon compliance with the applicable customs laws. I deem that such action is necessary in the conduct of the war.

[SEAL] O. MAX GARDNER,
Acting Secretary of the Treasury.
[F. R. Doc. 46-13422; Filed, Aug. 1, 1946;
4:02 p. m.]

TITLE 24—HOUSING CREDIT**Chapter VIII—Office of Housing Expediter**

[Premium Payments Reg. 6]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946**HARDWOOD FLOORING—SOUTHERN AREA**

Purpose and findings. This general regulation is issued to stimulate additional production of hardwood flooring in the southern area by providing for premium payments on production of such flooring above established quotas. It describes how quotas are established, and the methods, procedures and conditions under which premium payments may be obtained. This regulation is issued pursuant to the authority of the "Veterans' Emergency Housing Act of 1946."

All available means of increasing the supply of hardwood flooring for the veterans' emergency housing program and for other construction, maintenance and repair essential to the national well-being have been considered. Based on such consideration, the Expediter finds that premium payments on hardwood flooring are temporarily necessary to increase its supply and to stimulate such additional production with greater rapidity, economy and certainty than other available methods. The premium payments provided herein are applied at a uniform rate within the industry. In applying premium payments to necessary additional production in this industry emphasis has been placed upon avoiding either economic dislocations or adverse effects upon established business.

Par.

- (a) Definitions.
- (b) Establishment of quota.
- (c) Application for quota.
- (d) Premium A.
- (e) Premium B.
- (f) Computation of production for premium A and B claims.
- (g) Claim for payment.
- (h) Payment.
- (i) Records.
- (j) Reports.
- (k) Official interpretations.
- (l) Special orders.
- (m) Termination.

Appendix A: Description of southern area.

§ 805.6 Hardwood flooring (southern area)—(a) Definitions. (1) "Hardwood flooring" means flooring which is produced from hardwood species, which is end matched and machine patterned in $\frac{5}{32}$ " and thinner thicknesses, and which has a maximum price specifically established in the tables, or authorized under the special pricing provisions, of OPA Maximum Price Regulations 432¹ or 458.² In addition it includes custom hardwood flooring, which is hardwood flooring produced from lumber not owned by the flooring producer: *Provided*, That a maximum price for the fabrication service has been established or specifically authorized by OPA.

(2) "Residential flooring" means hardwood flooring which meets these requirements:

¹ 10 F.R. 7273.² 9 F.R. 153253; 10 F.R. 12118; 11 F.R. 1622, 5494, 8118.

(i) It is produced from the species oak, beech, pecan, birch or hard maple, which has been properly kiln dried.

(ii) It has been side matched, end matched and machine patterned (except that $\frac{5}{16}$ " square edge shall be included), in $\frac{25}{32}$ " and thinner thicknesses, and it has been machined to face widths of $1\frac{1}{2}$ ", $1\frac{1}{2}$ ", 2 ", $2\frac{1}{4}$ ", $2\frac{1}{2}$ ", $2\frac{3}{4}$ " or $3\frac{1}{4}$ ".

(iii) It has been graded in accordance with the official grading rules of the National Oak Flooring Manufacturers' Association (effective November 8, 1943).

Residential flooring may be unfinished, dip-treated or factory finished. It does not include custom hardwood flooring.

(3) "Southern area" means the areas described in OPA Maximum Price Regulations 97,³ 146⁴ and 155.⁵ (These areas are set forth in Appendix A.)

(4) "Person" means an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing, but does not include the United States, any of its political subdivisions or any agency thereof, any other Government, any of its political subdivisions or any agency thereof.

(5) "Plant" means a manufacturing establishment for the production of hardwood flooring which is located in the southern area, occupies a single site and, where consisting of several complete manufacturing units, uses common shipping and storing facilities and common operating supervision.

(6) "Company" means a person who manufactures hardwood flooring. If a person owns several plants, it shall be considered a company only with respect to plants located in the southern area.

(7) "Southern hardwood flooring lumber" means lumber which is produced in the southern area from the species oak, beech, pecan, birch or hard maple, in the following condition, grades and thicknesses: condition—rough; grades—No. 2 common and No. 3a common, except that the grades for lumber produced from pecan shall be No. 2 common and No. 3 common; thicknesses— $\frac{1}{4}$ ", $\frac{3}{8}$ ", $\frac{5}{8}$ " and $\frac{3}{4}$ ".

(8) "Southern usable lumber" means southern hardwood flooring lumber which has been on sticks or end racked at least ninety days.

(9) "Southern green lumber" means southern hardwood flooring lumber which does not meet the definition of southern usable lumber.

(10) "Supplier" means any person, except a "company," who supplies southern hardwood flooring lumber to a "company."

(11) "Premium A" means a premium payable under paragraph (d) of this section.

(12) "Premium B" means a premium payable under paragraph (e) of this section.

(13) "Production" and "units of production" mean the amount of hardwood flooring produced, measured in thousands of feet, flooring count.

³ 10 F.R. 10184, 11858, 14187, 14607; 11 F.R. 3786, 4864.⁴ 9 F.R. 3313, 10982; 10 F.R. 6228, 10214, 14626; 11 F.R. 4033, 5023.⁵ 10 F.R. 12388, 14626; 11 F.R. 1210, 1436, 6005, 6304, 6623.

(14) "Flooring count" means the hardwood flooring measure described in the official grading rules of the National Oak Flooring Manufacturers' Association (effective November 8, 1943).

(15) "Quarter" means a period of three consecutive calendar months, beginning August 1, November 1, and February 1. However, any company on whom this provision works a hardship may apply, by letter, to the Expediter, Washington, D. C., for authorization to submit its application for quota and claims on the basis of a stipulated fiscal quarter. With respect to a company that has received such authorization, this section shall become effective on the first day of the fiscal month beginning on or after August 1, 1946, and shall terminate on the same date that this section terminates as to other companies.

(16) "New producer" means with respect to a plant which prior to the effective date of this section was not operated for the production of hardwood flooring, a person who operates such plant after the effective date of this section, and who did not operate, prior to the effective date of this section, any plant for the production of hardwood flooring.

(17) "Claim" means a claim for premium payments filed pursuant to this section.

(18) "Expediter" means the Housing Expediter as defined in the Veterans' Emergency Housing Act of 1946, or his duly authorized representative.

(19) "OHE" means the Office of the Housing Expediter.

(b) *Establishment of quota*—(1) *Rules.* A quota shall be established for each company, in accordance with the rules below. In applying the rules, follow these instructions:

(i) Use Rule 1 for all plants owned by the company on August 1, 1946, if it applies to any such plant. If Rule 1 does not apply, use Rule 2. If neither Rule 1 nor Rule 2 applies to any plant, use Rule 3.

(ii) If a plant owned by the company on August 1, 1946, was under different ownership in the applicable quota period, include the production or productive capacity (whichever is appropriate) of that plant during such period.

(iii) If, after August 1, 1946, an additional plant is acquired, the company shall apply, by letter, to the Expediter, Washington, D. C., for a new company quota.

(iv) In computing actual hardwood flooring production, under subparagraph (a) of Rule 1 or Rule 2, include all hardwood flooring production.

Rule 1.—Company which produced hardwood flooring in any plant at least 45 days during first quarter of 1946. The quota shall be the lower of the following:

(a) Actual production of hardwood flooring during the first quarter of 1946;

(b) Productive capacity of all hardwood flooring machines in place on March 31, 1946, computed on the basis of 1,040,000 feet flooring count per machine.

Example 1. X company owns one plant, which produced hardwood flooring at least 45 days during the first quarter of 1946. Four

machines are installed in the plant, and during the quarter only two were operated. X's actual production of hardwood flooring was 2,210,000 feet flooring count.

X's quota is 2,210,000 feet flooring count, since this is lower than 4,160,000 feet flooring count, his productive capacity computed under (b) above ($4 \times 1,040,000 = 4,160,000$).

Example 2. Y company owns one plant, which produced hardwood flooring at least 45 days during the first quarter of 1946. One machine is installed in the plant, and during the quarter this machine was operated on an overtime basis. Accordingly, Y's actual production of hardwood flooring was 1,170,000 feet flooring count.

Y's quota is 1,040,000 feet flooring count, his productive capacity computed under (b) above, since this is lower than his actual production.

Example 3. Z company owns two plants, each of which has two machines. Plant #1 produced hardwood flooring at least 45 days during the first quarter of 1946, and its actual production was 2,000,000 feet flooring count. Plant #2 was idle during the period January 1 through June 30, 1946.

Since Rule 1 applies to Plant #1, Z will use this rule for all plants, in determining his company quota. Accordingly, Z's quota is 2,000,000 feet flooring count (actual hardwood flooring production during the first quarter of 1946), for this is lower than 4,160,000 feet flooring count (productive capacity).

Rule 2. Company which cannot qualify under Rule 1, but which produced hardwood flooring in any plant at least 15 days in each of three months during the period January 1 through June 30, 1946. The quota shall be the lower of the following:

(a) Actual production of hardwood flooring during the first three months, in the period January 1 through June 30, 1946, where hardwood flooring was produced at least fifteen days per month; or

(b) Productive capacity of all hardwood flooring machines in place at the end of the third month determined under (a), computed on the basis of 1,040,000 feet flooring count per machine.

Example 4. In the period January 1 through June 30, 1946, M company produced hardwood flooring 25 days in January, 0 days in February, 10 days in March, 15 days in April and 25 days in May. M will determine actual production during January, April and May, and compare it with productive capacity of all machines in place on May 31.

Rule 3. Any other company. The quota shall be determined by the Expediter. However, no quota shall be established for a new producer which would result in the application of premium payments to more than 50 percent of the value (in terms of producer's selling price) of the total output of such producer.

(2) Adjustment of quota by Expediter. Where production of a company during a three months claim period has been interrupted due to unusual circumstances beyond the control of the company, the company may, by letter, report these circumstances to the Expediter. The Expediter may, for purposes of determining the company's eligibility to receive premium A, adjust the quota for such claim period.

(c) Application for quotas. Every company who wishes to receive premium payments under this section shall file

an application for quota on form NHA 14-67. This form may be obtained from any RFC Loan Agency, and shall be filed with the Expediter by September 1, 1946. However, if a company did not produce hardwood flooring in the period January 1 to August 1, 1946, such form may be filed after September 1, 1946.

(d) Premium A—(1) Authorization to pay bonus. On and after August 1, 1946, a company is authorized to pay its suppliers, for southern hardwood flooring lumber delivered to it, a bonus of:

(i) \$8.50 per thousand feet board measure on southern usable lumber, provided that the supplier has certified (on the face of the invoice) that such lumber has been on sticks or end racked at least ninety days.

(ii) \$6.00 per thousand feet board measure on southern green lumber, shipped green and invoiced at green prices.

If a company has not filed an application for quota, in accordance with paragraph (c) of this section, by September 1, 1946, the authorization to pay a bonus shall be suspended until the company has filed its quota application, and has received acknowledgment of such filing.

No bonus shall be paid by any company to a supplier where: (a) the lumber is involved on specified or special widths and/or lengths; (b) the lumber is sold on condition that the company sell or deliver flooring or any other finished product to the supplier or his appointee; (c) the invoice received from the supplier, or the purchase memorandum on which payment is based, fails to state separately the amount of the bonus. Moreover, where a company pays for lumber which the supplier has upgraded, the company shall report the name of such supplier to the Expediter, with full particulars. In such cases, the Expediter may, at his discretion, revoke authorization to pay a bonus to that supplier. (For purposes of this paragraph, lumber shall not be considered upgraded unless the supplier's grading varies from the buyer's by more than four percent in money value, under the rules of the National Hardwood Lumber Association, effective January 1, 1946.)

(2) Eligibility for Premium A. A company is eligible for premium A under this section if it meets both of the following conditions:

(i) Its production (as determined under paragraph (f), of this section) during the period covered by its claim is in excess of quota.

(ii) It has paid its suppliers, for southern hardwood flooring lumber delivered to it during the claim period, the bonus described in subparagraph (1) of this paragraph.

For the purposes of this section, if a company produces its own southern usable lumber, it shall be considered to have paid \$8.50 per thousand feet board measure on all such lumber received for use in its production of hardwood flooring during the claim period: *Provided*, That an invoice has been prepared showing the quantity of the lumber and the amount of the bonus.

(3) Rate and amount of Premium A. The rate and amount of premium A shall

be calculated at the end of each quarter, according to the following rules:

Rule A. If a company's production during the quarter was ten percent or more above its quota, the amount payable will be based on all southern hardwood flooring lumber delivered during the quarter for use in the production of hardwood flooring, and on which the bonus specified in subparagraph (1) of this paragraph was paid. The rate of payment shall be \$8.50 per thousand feet board measure for southern hardwood flooring lumber which was usable when delivered, and \$6.00 per thousand feet board measure for such lumber which was green when delivered.

Rule B. If a company's production during the quarter was above its quota, but less than ten percent above, the amount payable will be calculated as follows:

(a) For each one percent increase over the company's quota, ten percent of the amount which would be payable under Rule A, if that rule were applicable.

Example 5. L company's production is five percent above its quota, and during the quarter deliveries of southern hardwood flooring lumber were as follows: 10,000,000 feet board measure, usable lumber; 20,000,000 feet board measure, green lumber. On usable lumber, L paid a bonus of \$8.50 per thousand feet board measure; on green lumber, a bonus of \$6.00 per thousand feet board measure.

Under (a) above, the total amount payable is computed as follows:

10,000 MFBM \times 5 \times \$0.85 = \$42,500
20,000 MFBM \times 5 \times \$0.60 = 60,000
102,500

(b) If production during the quarter of all companies that have applied for quotas (under paragraph (c) of this section) is ten percent or more above the sum of the quotas of such companies, the company will be reimbursed for the difference between the amount paid on the basis of (a) and the amount payable under Rule A.

Rule C. If a company's production during the quarter was not above its quota, no amount is payable, except as provided in Rule D.

Rule D. A company may, at its option, average production, during the quarter for which a claim is filed, with such production in all the preceding quarters covered by this section. In this case, the amount payable for all quarters included in the average shall be determined, under Rules A and B (a), on the basis of average production rather than on the actual production in each quarter. If payment already has been made on a claim arising in a preceding quarter included in the average, such payment shall be deducted from the total amount payable which is computed under this rule.

Example 6. N company has a quota of 2,000,000 feet flooring count. During the quarter beginning August 1, 1946, N's actual production was 1,700,000 feet flooring count, while in the next quarter its production was 2,800,000 feet flooring count. At the end of the second quarter, N may file a claim for the two quarters, based on 4,500,000 feet flooring count, production for the two quarters. Since this figure exceeds 4,000,000 feet flooring count ($2,000,000 \times 2$) by at least ten percent, N is entitled to premium A for the two quarters, on the basis of the rates set forth in Rule A above.

Example 7. In the quarter beginning August 1, 1946, L company (as indicated in Example 5) exceeded its quota by five percent, and received payment of \$102,500. At the end of the second quarter, L files a claim based on its production during the first two quarters. Since production for those quarters is at least ten percent above L's quota multiplied by two, L is entitled to receive premium A for the two quarters on the basis of the rates set forth in Rule A above. However, as L already received \$102,500 for the first quarter, this must be deducted from his claim for the two quarters.

(4) *Company which uses northern hardwood flooring lumber.* For a company which uses northern hardwood flooring lumber, as defined in paragraph (a) (7) of § 805.7 (Housing Expediter Premium Payments Regulation No. 7), the rate of bonus paid on such lumber and the rate and amount of premium A payable as reimbursement shall be determined under paragraph (d) § 805.7.

(5) *Use of southern hardwood flooring lumber on which premium A is payable.* Except for usual waste, all southern hardwood flooring lumber on which premium A is payable must be used in the production of residential flooring, unless otherwise authorized by the Expediter.

Southern hardwood flooring lumber which is in inventory when this section is terminated shall be used in the production of residential flooring within 150 days after the termination date. Moreover, at the end of any month in this 150-day period, the inventory of residential flooring shall not exceed the amount of residential flooring produced in that month. To enable the Expediter to determine whether those conditions are met, a company shall, at the end of each such month, file a report with the Expediter, Washington, D. C., showing the amount of residential flooring produced in the month and the inventory of residential flooring at the end of the month. If the Expediter finds that a company has not complied with those conditions, he may invalidate claims for the last claim period.

(e) *Premium B—(1) Eligibility.* A company is eligible for premium B under this section if, during the period covered by the claim, its production (as determined under paragraph (f) of this section) is in excess of its quota.

(2) *Rate and amount of premium B.* For each quarter a company shall be paid \$7.50 per thousand feet flooring count on all production in excess of its quota. The amount payable for each quarter shall be computed by subtracting the amount of the company's quota from its production, and multiplying the remainder by \$7.50 per thousand feet flooring count.

(f) *Computation of production for premium A and B claims—(1) General explanation.* With respect to claims for premium A and B, production for the period covered by such claims shall include production of all residential flooring. It may also include production of other hardwood flooring, non-custom and custom, up to but not exceeding the quantity of each in the quota period. Where, however, the quota is based on productive capacity, rather than actual production, production for the claim period may include other hardwood floor-

ing in a quantity no greater than the lower of the following: (i) the amount of other hardwood flooring production in the quota period; (ii) the difference between productive capacity (computed under paragraph (b) of this section) and residential flooring production in the quota period.

(2) *Exception for first quarter premium A claims.* The limitations on the quantity of other hardwood flooring production which can be included in claims (set forth in subparagraph (1) of this paragraph) shall not apply to premium A claims for the first quarter in which this section is effective. Such claims shall include production of all residential flooring, and may also include all production of other hardwood flooring, non-custom and custom.

Example 8. R company has a quota of 2,000,000 feet flooring count. This quota, which is based on actual production in the quota period, consists of: 1,000,000 feet residential flooring; 750,000 feet other hardwood flooring (non-custom); 250,000 feet other hardwood flooring (custom).

In the claim period beginning August 1, 1946, R produces 2,400,000 feet flooring count of hardwood flooring, consisting of: 1,300,000 feet residential flooring; 900,000 feet other hardwood flooring (noncustom); 200,000 feet other hardwood flooring (custom). Production for the claim period is computed as follows:

Premium A:	Feet
Residential flooring.....	1,300,000
Other hardwood flooring, non-custom	900,000
Other hardwood flooring, custom	200,000
Total production in claim.....	2,400,000
Quota	2,000,000

Production in excess of quota..... 400,000

Premium B:	Feet
Residential flooring.....	1,300,000
Other hardwood flooring, non-custom (but not above amount in quota period).....	750,000
Other hardwood flooring, custom (but not above amount in quota period).....	200,000
Total production in claim.....	2,250,000
Quota	2,000,000

Production in excess of quota..... 250,000

In the claim period beginning November 1, 1946, R produces 2,500,000 feet flooring count of hardwood flooring, consisting of: 1,500,000 feet residential flooring; 600,000 feet other hardwood flooring (non-custom); 200,000 feet other hardwood flooring (custom). Production for the claim period is computed as follows:

Premiums A and B:	Feet
Residential flooring.....	1,500,000
Other hardwood flooring, non-custom (but not above amount in quota period).....	750,000
Other hardwood flooring, custom (but not above amount in quota period).....	200,000
Total production in claims.....	2,450,000
Quota	2,000,000

Production in excess of quota..... 450,000

Example 9. S company has a quota of 1,040,000 feet flooring count, productive capacity in the quota period. Its actual production in this period was 1,200,000 feet floor-

ing count, consisting of 1,000,000 feet residential flooring and 200,000 feet other hardwood flooring.

In the claim period beginning November 1, 1946, S produces 1,400,000 feet flooring count of hardwood flooring, consisting of 1,200,000 feet residential flooring and 200,000 feet other hardwood flooring. Production for the claim period is computed as follows:

Premiums A and B:	Feet
Residential flooring.....	1,200,000
Other hardwood flooring (productive capacity [1,040,000] minus residential flooring production in quota period [1,000,000], as this is lower than other hardwood flooring production in quota period [200,000]).....	40,000
Total production in claims.....	1,240,000
Quota	1,040,000

Production in excess of quota..... 200,000

(g) *Claim for payment.* A company shall file claims for payment of premium A and B in the following manner:

(1) Each claim for payment shall be filed with the RFC Loan Agency for the district in which the company's main office is located, on Form NHA 14-68. These forms may be obtained from any RFC Loan Agency. A company may find out in which RFC Loan Agency district it is located by consulting its bank.

(2) Within 30 days after the end of each quarter, a company must file Form NHA 14-68 for that quarter. This form must be filed, even though the company does not make a claim for payment for the quarter.

(3) Claims for premium A may be filed on a monthly basis, under the following conditions:

(i) A claim for the first month of a quarterly period may be filed only if production during the month has equaled or exceeded 110 percent of one-third of the company's quota;

(ii) A claim for the second month or for the first two months of a quarterly period may be filed only if production during the two months has equaled or exceeded 110 percent of two-thirds of the company's quota;

(iii) Each claim must be filed within 30 days after the end of the period covered by the claim;

(iv) If a company files one or two-month claims, it shall also file a claim for the quarter including the month or two-month periods.

(4) Claims for premium B may not be filed monthly, but must be filed within 30 days after the end of each quarter.

(5) No claim under this section shall be assignable except as a part of a bona fide transfer of the company to a legal successor.

(h) *Payment—(1) Review by RFC.* In reviewing claims for payment, the RFC will determine whether such claims appear to have been correctly and properly prepared.

(2) *Terms of payment.* If the claim or any part thereof is accepted by RFC subject to final verification, RFC will then pay the claimant that part of the claim so accepted. However, on claims for the last period for which this section is effective, RFC shall require that bond be furnished in form and amount sat-

isfactory to it before making payment thereon. Preliminary acceptance and payment of claim shall not constitute final acceptance of the validity or amount of the claim. If, after review or audit, there is cause to question the validity of any claim, RFC may require that bond be furnished in form and amount satisfactory to it before making further payments, or suspend further payments.

(3) *Verification of claims.* (i) Upon receipt of claims for payment, RFC will forward copies to the Expediter for verification and such investigation or audit as he may deem appropriate.

(ii) If the amount verified and approved by the Expediter is less than the amount previously paid, the claimant shall, upon demand by RFC, refund the overage to RFC, together with interest thereon at the rate of four percent per annum calculated from the date of such overpayment to the date repayment is made to the RFC, or such overage plus interest may be deducted from any accrued or subsequent claim for any payment by RFC to the claimant.

(4) *Monthly payments.* Any payments made by RFC on account of any month or two-month claim shall be considered an advance payment on the claim for the quarterly period including such months, and shall be subject to recovery or set-off in the event the amount found payable on the quarterly claim is less than the amount of such advance payment.

(5) *Average quarterly production.* Payments made by RFC on account of a quarterly claim for premium A shall be deducted from any claim subsequently filed which is based on average quarterly production.

(6) *Invalidation of claims.* The Expediter shall have the right at any time to declare invalid any claim of a company, and such company shall upon demand refund to RFC any payment on such claim, if the Expediter finds that, during the period this section is effective, the company:

(i) Has failed to comply with any of the requirements of this section.

(ii) Has failed to comply with directives, orders or regulations of CPA or OHE on hardwood flooring, or has sold hardwood flooring in violation of the pricing provisions of the applicable OPA regulations or orders.

(iii) Has failed to maintain production of lumber of all species from its own sawmill operations at a level which obtained during the corresponding quarter of the previous year.

(iv) Has, at the end of any month, an inventory of southern usable lumber which exceeds a sixty-day supply.

(v) Has, at the end of any month, an inventory of residential flooring which is more than the residential flooring production during that month.

(i) *Records.* Every company shall prepare and preserve for inspection, for a period of not less than two years after the date of termination of this section, all books, records, and other documents which furnish information in support of its application for quota and claims for payment. The Expediter, or his design-

nated agents shall have the right at any time to make such examinations and audits of the books, records, and other documents as may be necessary to verify the representations in the company's application for quota and claims for payment, or as may be required by the Expediter.

(j) *Reports.* Producers must furnish such reports as may be required by the Expediter from time to time, subject to approval by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Official interpretations.* Official interpretations of this section may be given only in writing by the General Counsel of OHE, or his duly authorized representative. A request for an official interpretation must be filed in writing directly with the Expediter or the General Counsel.

(l) *Special orders.* A company located outside of both the southern and northern areas (northern area is defined in § 805.7 Housing Expediter Premium Payments Regulation No. 7), which uses southern hardwood flooring lumber, may, by letter to the Expediter, Washington, D. C. request that it be included in this section. If the Expediter finds that such inclusion will have the effect of increasing the production of hardwood flooring and is consistent with the Veterans' Emergency Housing Act of 1946, he will issue a special order under this paragraph, establishing quotas, and fixing the rate and amount of premiums payable.

(m) *Termination.* This section shall terminate on April 30, 1947. In the event the Expediter finds that any substantive amendments, including but not limited to an amendment of the termination date, shall become necessary, no such amendments will be issued until after adequate notice to and discussion with representatives of the producers covered by this section. In any event there shall be specific review of the rates of premiums A and B no later than six months after the effective date of this section.

Termination shall not preclude the filing of claims for payment accrued on or before the date of termination. These claims shall be dealt with in accordance with the provisions of this section in the same manner as if it has not been terminated.

Notwithstanding any of the foregoing, if OPA price ceilings cease to be applicable to the sales of hardwood flooring or southern hardwood flooring lumber, the Expediter may terminate this section on such terms and conditions as he may deem proper.

Appendix A: Description of southern area. Southern area means the following hardwoods areas:

(a) *Southern hardwood area.* This includes the States of Alabama, Arkansas, Florida, Louisiana, Mississippi, Texas and Oklahoma, and the counties of Tipton, Haywood, Shelby, Fayette, Lauderdale and Hardeman in the State of Tennessee, and those portions of North Carolina, South Carolina, Virginia, and Georgia not included in the Appalachian hardwoods area.

(b) *Appalachian hardwoods area.* This is that area circumscribed by a line be-

ginning at the intersection of the western line of the State of West Virginia and the western line of the State of Pennsylvania, thence southwesterly on the eastern lines of West Virginia to the western boundary of Boyd County, Kentucky; thence extending southwesterly through Kentucky along the generally northwestern boundaries of the following counties: Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton to the Tennessee state line; thence westerly along said state line to the western boundary of Pickett County, Tennessee; thence southerly in Tennessee along the western boundaries of Pickett, Fentress, Morgan, Roane, Rhea, and Hamilton Counties to the intersections of the western boundary of Hamilton County and the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia state line; thence easterly along said state line to the western boundary of Fannin County, Georgia; thence southeasterly in Georgia along the southwestern boundaries of Fannin County and Lumpkin County, thence generally easterly in Georgia along the southeastern boundary of Lumpkin County, the southern boundary of White County, and the southern and eastern boundaries of Habersham County to the South Carolina state line; thence southeasterly along said line to the southeastern boundary of Oconee County, South Carolina; thence in a generally northeasterly direction through South Carolina along the southeastern boundaries of Oconee and Pickens Counties, and the western, southern, and eastern boundaries of Greenville County to the North Carolina state line; thence easterly along the southern line of North Carolina to the eastern boundary of Cleveland County, North Carolina; thence northerly in North Carolina along the eastern boundaries of Cleveland and Burke Counties; thence continuing generally northeasterly in North Carolina along the eastern or southern boundaries of Alexander, Wilkes and Surry Counties to the Virginia state line; thence east on said state line to the eastern boundary of Patrick County, Virginia; thence northeasterly through Virginia, following the eastern boundary of Patrick County and the southeastern boundary of Franklin, Bedford, Amherst, Nelson, Albemarle, Greene, Madison, and Rappahannock Counties, turning southerly along the southwestern boundary of Fauquier County, and resuming a generally northerly direction along the eastern boundaries of Fauquier and Loudoun Counties to the Maryland state line; thence northwesterly along said state line to the eastern boundary of Frederick County, Maryland; thence northerly through Maryland along the eastern boundary of Frederick County to the Pennsylvania state line; thence westerly and thence northerly along said state line to the starting point. All sawmills on the boundary line of the Appalachian hardwoods area shall be deemed to be outside the Appalachian hardwoods area, except that mills in West Virginia and Maryland on the lines touching

FEDERAL REGISTER, Saturday, August 3, 1946

Pennsylvania and Ohio shall be deemed to be in the Appalachian area.

(c) *North Central hardwoods area.* This includes all of the States of Ohio, Indiana, Iowa, Nebraska and South Dakota; the counties of Adair, Anderson, Barren, Bath, Boone, Bourbon, Boyle, Bracken, Breckinridge, Bullitt, Campbell, Carroll, Casey, Clark, Cumberland, Daviess, Edmonson, Fayette, Fleming, Franklin, Gallatin, Garrard, Grant, Grayson, Green, Greenup, Hancock, Hardin, Harrison, Hart, Henry, Jefferson, Jessamine, Kenton, Larue, Lewis, Lincoln, Madison, Marion, Mason, Meade, Mercer, Metcalfe, Monroe, Montgomery, Nelson, Nicholas, Ohio, Oldham, Owen, Pendleton, Robertson, Russell, Scott, Shelby, Spencer, Taylor, Trimble, Washington and Woodford, all in the State of Kentucky; and all of the State of Illinois except the counties of Alexander, Franklin, Hardin, Jackson, Johnson, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Union, and Williamson, and those parts of Hamilton, Jefferson, Saline, St. Clair, Clinton and Washington counties which lie south or southwest of the tracks of the Louisville and Nashville Railroad.

(d) *South Central hardwoods area.* This includes all of the States of Kansas and Missouri; the counties of Allen, Ballard, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton, Graves, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Muhlenberg, Simpson, Todd, Trigg, Union, Warren, and Webster, all in the State of Kentucky; and the counties of Bedford, Benton, Bledsoe, Cannon, Carroll, Cheatham, Chester, Clay, Coffee, Crockett, Cumberland, Davidson, Decatur, De Kalb, Dickson, Dyer, Franklin, Gibson, Giles, Grundy, Hardin, Henderson, Henry, Hickman, Houston, Humphreys, Jackson, Lake, Lawrence, Lewis, Lincoln, McNairy, Macon, Madison, Marion, Marshall, Maury, Montgomery, Moore, Obion, Overton, Perry, Putnam, Robertson, Rutherford, Sequatchie, Smith, Stewart, Sumner, Trousdale, Van Buren, Warren, Wayne, Weakley, White, Williamson, and Wilson, all in the State of Tennessee; and all that territory lying within Hamilton County, Tennessee, which is south of the Nashville, Chattanooga and St. Louis Railroad and north of the boundary line between said Hamilton County, Tennessee, and the State of Georgia; and the counties of Alexander, Franklin, Hardin, Jackson, Johnson, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Union and Williamson, and those parts of Hamilton, Jefferson, Saline, St. Clair, Clinton, and Washington counties which lie south or southwest of the tracks of the Louisville and Nashville Railroad, all in the State of Illinois.

Effective date. This section shall become effective as of August 1, 1946.

Note: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(Pub. Law 388, 79th Cong.)

Issued this 1st day of August 1946.

[SEAL] WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46-13443; Filed, Aug. 1, 1946;
5:06 p. m.]

duced from lumber not owned by the flooring producer: *Provided*, That a maximum price for the fabrication service has been established or specially authorized by OPA.

(2) "Residential flooring" means hardwood flooring which meets these requirements:

(i) It is produced from the species oak, beech, birch or hard maple, which has been properly kiln dried.

(ii) It has been side matched, end matched and machine patterned (except that $\frac{1}{16}$ " square edge shall be included), in $\frac{25}{32}$ " and thinner thicknesses, and it has been machined to face widths of $1\frac{1}{4}$ ", $1\frac{1}{2}$ ", 2", $2\frac{1}{4}$ ", $2\frac{1}{2}$ ", $2\frac{3}{4}$ ", or $3\frac{1}{4}$ ".

(iii) It has been graded in accordance with the official grading rules of the Maple Flooring Manufacturers' Association (effective July 25, 1941), or of the National Oak Flooring Manufacturers' Association (effective November 8, 1943).

Residential flooring may be unfinished, dip-treated or factory finished. It does not include custom hardwood flooring.

(3) "Northern area" means the areas described in OPA Maximum Price Regulations 223¹ and 368.²

(These areas are set forth in Appendix A).

(4) "Person" means an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing, but does not include the United States, any of its political subdivisions or any agency thereof, any other Government, any of its political subdivisions or any agency thereof.

(5) "Plant" means a manufacturing establishment for the production of hardwood flooring which is located in that portion of the northern area which is in the continental United States, which occupies a single site and, where consisting of several complete manufacturing units, which uses common shipping and storing facilities and common operating supervision.

(6) "Company" means a person who manufactures hardwood flooring. If a person owns several plants, it shall be considered a company only with respect to plants located in that portion of the northern area which is in the continental United States.

(7) "Northern hardwood flooring lumber" means lumber which is produced in the northern area from the species oak, beech, birch or hard maple, in the following condition, grades and thicknesses: condition—rough; grades—No. 2 common and No. 3a common; thicknesses— $4\frac{1}{4}$ " and $5\frac{1}{8}$ ", except that the thicknesses for lumber produced from oak shall be $4\frac{1}{4}$ ", $5\frac{1}{4}$ " and $5\frac{1}{8}$ ".

(8) "Northern usable lumber" means northern hardwood flooring lumber which has been on sticks or end racked at least ninety days.

(9) "Northern green lumber" means northern hardwood flooring lumber

¹ 11 F.R. 7273.
² 9 F.R. 5686; 10 F.R. 15216; 11 F.R. 947, 1524.

* 9 F.R. 4184; 11 F.R. 947, 4415, 5398.

which does not meet the definition of northern usable lumber.

(10) "Supplier" means any person, except a "company", who supplies northern hardwood flooring lumber to a "company".

(11) "Premium A" means a premium payable under paragraph (d) of this section.

(12) "Premium B" means a premium payable under paragraph (e) of this section.

(13) "Production" and "units of production" means the amount of hardwood flooring produced, measured in thousands of feet flooring count.

(14) "Flooring count" means the hardwood flooring measure described in the official grading rules of the National Oak Flooring Manufacturers' Association (effective November 8, 1943).

(15) "Quarter" means a period of three consecutive calendar months, beginning August 1, November 1 and February 1. However, any company on whom this provision works a hardship may apply, by letter, to the Expediter, Washington, D. C., for authorization to submit its application for quota and claims on the basis of a stipulated fiscal quarter. With respect to a company that has received such authorization, this section shall become effective on the first day of the fiscal month beginning on or after August 1, 1946, and shall terminate on the same date that this section terminates as to other companies.

(16) "New producer" means with respect to a plant which prior to the effective date of this regulation was not operated for the production of hardwood flooring, a person who operates such plant after the effective date of this regulation, and who did not operate, prior to the effective date of this regulation, any plant for the production of hardwood flooring.

(17) "Claim" means a claim for premium payments filed pursuant to this section.

(18) "Expediter" means the Housing Expediter as defined in the Veterans' Emergency Housing Act of 1946, or his duly authorized representative.

(19) "OHE" means the Office of the Housing Expediter.

(b) *Establishment of quota*—(1) *Rules*. A quota shall be established for each company, in accordance with the rules below. In applying the rules, follow these instructions:

(i) Use Rule 1 for all plants owned by the company on August 1, 1946, if it applies to any such plant. If Rule 1 does not apply, use Rule 2. If neither Rule 1 nor Rule 2 applies to any plant, use Rule 3.

(ii) If a plant owned by the company on August 1, 1946 was under different ownership in the applicable quota period, include the production or productive capacity (whichever is appropriate) of that plant during such period.

(iii) If, after August 1, 1946, an additional plant is acquired, the company shall apply, by letter, to the Expediter, Washington, D. C., for a new company quota.

(iv) In computing actual hardwood flooring production, under subparagraph

(a) of Rule 1 or Rule 2, include all hardwood flooring production.

RULE 1. Company which produced hardwood flooring in any plant at least 45 days during first quarter of 1946. The quota shall be the lower of the following:

(a) Actual production of hardwood flooring during the first quarter of 1946; or

(b) Productive capacity of all hardwood flooring machines in place on March 31, 1946, computed on the basis of 552,500 feet flooring count per machine.

Example 1. X company owns one plant, which produced hardwood flooring at least 45 days during the first quarter of 1946. Four machines are installed in the plant, and during the quarter only two were operated. X's actual production of hardwood flooring was 1,110,000 feet flooring count.

X's quota is 1,110,000 feet flooring count, since this is lower than 2,210,000 feet flooring count, his productive capacity computed under (b) above ($4 \times 552,500 = 2,210,000$).

Example 2. Y company owns one plant, which produced hardwood flooring at least 45 days during the first quarter of 1946. One machine is installed in the plant, and during the quarter this machine was operated on an overtime basis. Accordingly, Y's actual production of hardwood flooring was 750,000 feet flooring count.

Y's quota is 552,500 feet flooring count, his productive capacity computed under (b) above, since this is lower than his actual production.

Example 3. Z company owns two plants, each of which has two machines. Plant #1 produced hardwood flooring at least 45 days during the first quarter of 1946, and its actual production was 600,000 feet flooring count. Plant #2 was idle during the period January 1 through June 30, 1946.

Since Rule 1 applies to Plant #1, Z will use this rule for all plants, in determining his company quota. Accordingly, Z's quota is 600,000 feet flooring count (actual hardwood flooring production during the first quarter of 1946), for this is lower than 2,210,000 feet flooring count (productive capacity).

RULE 2. Company which cannot qualify under Rule 1, but which produced hardwood flooring in any plant at least 15 days in each of three months during the period January 1 through June 30, 1946. The quota shall be the lower of the following:

(a) Actual production of hardwood flooring during the first three months, in the period January 1 through June 30, 1946, where hardwood flooring was produced at least fifteen days per month; or

(b) Productive capacity of all hardwood flooring machines in place at the end of the third month determined under (a), computed on the basis of 552,500 feet flooring count per machine.

Example 4. In the period January 1 through June 30, 1946, M company produced hardwood flooring 25 days in January, 0 days in February, 10 days in March, 20 days in April and 25 days in May. M will determine actual production during January, April and May, and compare it with productive capacity of all machines in place on May 31.

RULE 3. Any other company. The quota shall be determined by the Expediter. However, no quota shall be established for a new producer which would result in the application of premium payments to more than 50 percent of the value (in terms of producer's sell-

ing price) of the total output of such producer.

(2) Adjustment of quota by Expediter. Where production of a company during a three months claim period has been interrupted due to unusual circumstances beyond the control of the company, the company may, by letter, report these circumstances to the Expediter. The Expediter may, for purposes of determining the company's eligibility to receive premium A, adjust the quota for such claim period.

(c) Application for quotas. Every company who wishes to receive premium payments under this section shall file an application for quota on form NHA 14-70. This form may be obtained from any RFC Loan Agency, and shall be filed with the Expediter by September 1, 1946. However, if a company did not produce hardwood flooring in the period January 1 to August 1, 1946, such form may be filed after September 1, 1946.

(d) Premium A—(1) Authorization to pay bonus. On and after August 1, 1946, a company is authorized to pay its suppliers, for northern hardwood flooring lumber delivered to it, a bonus of:

(i) \$3.50 per thousand feet board measure on northern usable lumber: *Provided*, That the supplier has certified (on the face of the invoice) that such lumber has been on sticks or end racked at least ninety days.

(ii) \$1.00 per thousand feet board measure, on northern green lumber, shipped green and invoiced at green prices.

If a company has not filed an application for quota, in accordance with paragraph (c) of this section, by September 1, 1946, the authorization to pay a bonus shall be suspended until the company has filed its quota application and has received acknowledgment of such filing.

No bonus shall be paid by any company to a supplier where: (a) the lumber is invoiced on specified or special widths and/or lengths; (b) the lumber is sold on condition that the company sell or deliver flooring or any other finished product to the supplier or his appointee; (c) the invoice received from the supplier, or the purchase memorandum on which payment is based, fails to state separately the amount of the bonus. Moreover, where a company pays for lumber which the supplier has upgraded, the company shall report the name of such supplier to the Expediter, with full particulars. In such case, the Expediter may, at his discretion, revoke authorization to pay a bonus to that supplier. (For purposes of this paragraph, lumber shall not be considered upgraded unless the supplier's grading varies from the buyer's by more than four percent in money value, under the rules of the National Hardwood Lumber Association, effective January 1, 1946.)

(2) Eligibility for Premium A. A company is eligible for premium A under this section if it meets both of the following conditions:

(i) Its production (as determined under paragraph (f) of this section) during the period covered by its claim is in excess of quota.

(ii) It has paid its suppliers, for northern hardwood flooring lumber delivered

to it during the claim period, the bonus described in subparagraph (1) of this paragraph.

For purposes of this section, if a company produces its own northern usable lumber, it shall be considered to have paid \$3.50 per thousand feet board measure on all such lumber received for use in its production of hardwood flooring during the claim period: *Provided*, That an invoice has been prepared showing the quantity of the lumber and the amount of the bonus.

(3) *Rate and amount of Premium A.* The rate and amount of premium A shall be calculated at the end of each quarter, according to the following rules:

Rule A. If a company's production during the quarter was ten percent or more above its quota, the amount payable will be based on all northern hardwood flooring lumber delivered during the quarter for use in the production of hardwood flooring, and on which the bonus specified in subparagraph (1) of this paragraph was paid. The rate of payment shall be \$3.50 per thousand feet board measure for northern hardwood flooring lumber which was usable when delivered, and \$1.00 per thousand feet board measure for such lumber which was green when delivered.

Rule B. If a company's production during the quarter was above its quota, but less than ten percent above, the amount payable will be calculated as follows:

(a) For each one percent increase over the company's quota, ten percent of the amount which would be payable under Rule A, if that rule were applicable.

Example 5. L company's production is five percent above its quota, and during the quarter deliveries of northern hardwood flooring lumber were as follows: 10,000,000 feet board measure, usable lumber; 20,000,000 feet board measure green lumber. On usable lumber L paid a bonus of \$3.50 per thousand feet board measure; on green lumber, a bonus of \$1.00 per thousand feet board measure.

Under (a) above, the total amount payable is computed as follows:

$$\begin{array}{rcl} 10,000 \text{ MFBM} \times 5 \times \$0.35 & = & \$17,500 \\ 20,000 \text{ MFBM} \times 5 \times \$0.10 & = & 10,000 \\ \hline & & 27,500 \end{array}$$

(b) If production during the quarter of all companies that have applied for quotas (under paragraph (c) of this section) is ten percent or more above the sum of the quotas of such companies, the company will be reimbursed for the difference between the amount paid on the basis of (a) and the amount payable under Rule A.

Rule C. If a company's production during the quarter was not above its quota, no amount is payable, except as provided in Rule D.

Rule D. A company may, at its option, average production, during the quarter for which a claim is filed, with such production in all the preceding quarters covered by this section. In this case, the amount payable for all quarters included in the average shall be determined, under Rules A and B (a), on the basis of average production rather than on the actual production in each quarter. If payment already has been made on a claim arising in a preceding quarter included

in the average, such payment shall be deducted from the total amount payable which is computed under this rule.

Example 6. N company has a quota of 2,000,000 feet flooring count. During the quarter beginning August 1, 1946, N's actual production was 1,700,000 feet flooring count, while in the next quarter its production was 2,800,000 feet flooring count. At the end of the second quarter, N may file a claim for two quarters based on 4,500,000 feet flooring count, production for the two quarters. Since this figure exceeds 4,000,000 feet flooring count (2,000,000 x 2) by at least ten percent, N is entitled to premium A for the two quarters, on the basis of the rates set forth in Rule A above.

Example 7. In the quarter beginning August 1, 1946, L company (as indicated in Example 5) exceeded its quota by five percent, and received payment of \$27,500. At the end of the second quarter, L files a claim based on its production during the first two quarters. Since production for these quarters is at least ten percent above L's quota multiplied by two, L is entitled to receive premium A for the two quarters, on the basis of the rates set forth in Rule A above. However, since L already received \$27,500 for the first quarter, this must be deducted from his claim for the two quarters.

(4) *Company which uses southern hardwood flooring lumber.* For a company which uses southern hardwood flooring lumber, as defined in paragraph (a) (7) of § 805.6 (Housing Expediter Premium Payments Regulation No. 6), the rate of bonus paid on such lumber and the rate and amount of premium A payable as reimbursement shall be determined under paragraph (d) of § 805.6.

(5) *Use of northern hardwood flooring lumber on which premium A is payable.* Except for usual waste, all northern hardwood flooring lumber on which premium A is payable must be used in the production of residential flooring, unless otherwise authorized by the Expediter.

Northern hardwood flooring lumber which is in inventory when this section is terminated shall be used in the production of residential flooring within 150 days after the termination date. Moreover, at the end of any month in this 150-day period, the inventory of residential flooring shall not exceed the amount of residential flooring produced in that month. To enable the Expediter to determine whether these conditions are met, a company shall, at the end of each such month, file a report with the Expediter, Washington, D. C., showing the amount of residential flooring produced in the month and the inventory of residential flooring at the end of the month. If the Expediter finds that a company has not complied with these conditions, he may invalidate claims for the last claim period.

(e) *Premium B—(1) Eligibility.* A company is eligible for premium B under this section if, during the period covered by the claim, its production (as determined under paragraph (f) of this section) is in excess of its quota.

(2) *Rate and amount of premium B.* For each quarter a company shall be paid \$12.50 per thousand feet flooring count on all production in excess of its quota. The amount payable for each quarter shall be computed by subtracting the amount of the company's quota from its production, and multiplying

the remainder by \$12.50 per thousand feet flooring count.

(f) *Computation of production for premium A and B claims—(1) General explanation.* With respect to claims for premium A and B, production for the period covered by such claims shall include production of all residential flooring. It may also include production of other hardwood flooring, non-custom and custom, up to but not exceeding the quantity of each in the quota period. Where, however, the quota is based on productive capacity, rather than actual production, production for the claim period may include other hardwood flooring in a quantity no greater than the lower of the following: (i) the amount of other hardwood flooring production in the quota period; (ii) the difference between productive capacity (computed under paragraph (b) of this section) and residential flooring production in the quota period.

(2) *Exception for first-quarter premium A claims.* The limitations on the quantity of other hardwood flooring production which can be included in claims (set forth in subparagraph (1) of this paragraph) shall not apply to premium A claims for the first quarter in which this section is effective. Such claims shall include production of all residential flooring, and may also include all production of other hardwood flooring, non-custom and custom.

Example 8. R company has a quota of 2,000,000 feet flooring count. This quota, which is based on actual production in the quota period, consists of: 1,000,000 feet residential flooring; 750,000 feet other hardwood flooring (non-custom); 250,000 feet other hardwood flooring (custom).

In the claim period beginning August 1, 1946, R produces 2,400,000 feet flooring count of hardwood flooring, consisting of: 1,300,000 feet residential flooring; 900,000 feet other hardwood flooring (non-custom); 200,000 feet other hardwood flooring (custom). Production for the claim period is computed as follows:

	Feet
Premium A:	
Residential flooring	1,300,000
Other hardwood flooring; non-custom	900,000
Other hardwood flooring, custom	200,000
Total production in claim	2,400,000
Quota	2,000,000
Production in excess of quota	400,000
Premium B:	
Residential flooring	1,300,000
Other hardwood flooring, non-custom (but not above amount in quota)	750,000
Other hardwood flooring, custom (but not above amount in quota)	200,000
Total production in claim	2,250,000
Quota	2,000,000
Production in excess of quota	250,000

In the claim period beginning November 1, 1946, R produces 2,500,000 feet flooring count of hardwood flooring, consisting of: 1,500,000 feet residential flooring; 800,000 feet other hardwood flooring (non-custom); 200,000 feet other hardwood flooring (custom). Production for the claim period is computed as follows:

Premiums A and B:	Feet
Residential flooring	1,500,000
Other hardwood flooring, non-custom (but not above amount in quota period)	750,000
Other hardwood flooring, custom (but not above amount in quota period)	200,000
Total production in claims	2,450,000
Quota	2,000,000

Production in excess of quota... 450,000

Example 9. S company has a quota of 552,500 feet flooring count, productive capacity in the quota period. Its actual production in this period was 712,500 feet flooring count, consisting of 530,000 feet residential flooring and 182,500 feet other hardwood flooring.

In the claim period beginning August 1, 1946, S produces 1,000,000 feet flooring count of hardwood flooring, consisting of 817,500 feet residential flooring and 182,500 feet of other hardwood flooring. Production for the claim period is computed as follows:

	Feet
Residential flooring	817,500
Other hardwood flooring (productive capacity [552,500] minus residential flooring production in quota period [530,000], as this is lower than other hardwood flooring production in quota period [182,500])	22,500
Total production in claim	840,000
Quota	552,500

Production in excess of quota... 287,500

(g) *Claim for payment.* A company shall file claims for payment of premium A and B in the following manner:

(1) Each claim for payment shall be filed with the RFC Loan Agency for the district in which the company's main office is located, on form NHA 14-71. These forms may be obtained from any RFC Loan Agency. A company may find out in which RFC Loan Agency district it is located by consulting its bank.

(2) Within 30 days after the end of each quarter, a company must file form NHA 14-71 for that quarter. This form must be filed, even though the company does not make a claim for payment for the quarter.

(3) Claims for premium A may be filed on a monthly basis, under the following conditions:

(i) A claim for the first month of a quarterly period may be filed only if production during the month has equaled or exceeded 110 percent of one-third of the company's quota;

(ii) A claim for the second month or for the first two months of a quarterly period may be filed only if production during the two months has equaled or exceeded 110 percent of two-thirds of the company's quota;

(iii) Each claim must be filed within 30 days after the end of the period covered by the claim;

(iv) If a company files one or two-month claims, it shall also file a claim for the quarter including the month or two-month periods.

(4) Claims for premium B must be filed within 30 days after the end of each quarter.

(5) No claim under this section shall be assignable except as a part of a bona

fide transfer of the company to a legal successor.

(h) *Payment—(1) Review by RFC.* In reviewing claims for payment, the RFC will determine whether such claims appear to have been correctly and properly prepared.

(2) *Terms of payment.* If the claim or any part thereof is accepted by RFC subject to final verification, RFC will then pay the claimant that part of the claim so accepted. However, on claims for the last period for which this section is effective, RFC shall require that bond be furnished in form and amount satisfactory to it before making payment thereon. Preliminary acceptance and payment of claim shall not constitute final acceptance of the validity or amount of the claim. If, after review or audit, there is cause to question the validity of any claim, RFC may require that bond be furnished in form and amount satisfactory to it before making further payments, or suspend further payments.

(3) *Verification of claims.* (i) Upon receipt of claims for payment, RFC will forward copies to the Expediter for verification and such investigation or audit as he may deem appropriate.

(ii) If the amount verified and approved by the Expediter is less than the amount previously paid, the claimant shall, upon demand by RFC, refund the overage to RFC, together with interest thereon at the rate of four percent per annum calculated from the date of such overpayment to the date repayment is made to the RFC, or such overage plus interest may be deducted from any accrued or subsequent claim for any payment by RFC to the claimant.

(4) *Monthly payments.* Any payments made by RFC on account of any month or two-month claim shall be considered an advance payment on the claim for the quarterly period including such months, and shall be subject to recovery or set-off in the event the amount found payable on the quarterly claim is less than the amount of such advance payment.

(5) *Average quarterly production.* Payments made by RFC on account of a quarterly claim for premium A shall be deducted from any claim subsequently filed which is based on average quarterly production.

(6) *Invalidation of claims.* The Expediter shall have the right at any time to declare invalid any claim of a company, and such company shall upon demand refund to RFC any payment on such claim, if the Expediter finds that during the period this section is effective the company:

(i) Has failed to comply with any of the requirements of this section.

(ii) Has failed to comply with directives, orders or regulations of CPA or OHE on hardwood flooring, or has sold hardwood flooring in violation of the pricing provisions of the applicable OPA regulations or orders.

(iii) Has failed to maintain production of lumber of all species from its own sawmill operations at a level which obtained during the corresponding quarter of the previous year.

(iv) Has, at the end of any month, an inventory of northern usable lumber which exceeds a sixty-day supply.

(v) Has, at the end of any month, an inventory of residential flooring which is more than the residential flooring production during that month.

(i) *Records.* Every company shall prepare and preserve for inspection, for a period of not less than two years after the date of termination of this section, all books, records, and other documents which furnish information in support of its application for quota and claims for payment. The Expediter, or his designated agents shall have the right at any time to make such examinations and audits of the books, records, and other documents as may be necessary to verify the representations in the company's application for quota and claims for payment, or as may be required by the Expediter.

(j) *Reports.* Producers must furnish such reports as may be required by the Expediter from time to time, subject to approval by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Official interpretations.* Official interpretations of this section may be given only in writing by the General Counsel of OHE, or his duly authorized representative. A request for an official interpretation must be filed in writing directly with the Expediter or the General Counsel.

(l) *Special orders.* A company located outside of both the southern and northern areas (southern area is defined in § 805.6 (Housing Expediter Premium Payments Regulation No. 6), which uses northern hardwood flooring lumber, may, by letter to the Expediter, Washington, D. C., request that it be included in this section. If the Expediter finds that such inclusion will have the effect of increasing the production of hardwood flooring and is consistent with the Veterans' Emergency Housing Act of 1946, he will issue a special order under this paragraph establishing quotas, and fixing the rate and amount of premiums which will be payable.

(m) *Termination.* This section shall terminate on April 30, 1947. In the event the Expediter finds that any substantive amendments, including but not limited to an amendment of the termination date, shall become necessary, no such amendments will be issued until after adequate notice to and discussion with representatives of the producers covered by this section. In any event there shall be specific review of the rates of premiums A and B no later than six months after the effective date of this section.

Termination shall not preclude the filing of claims for payment accrued on or before the date of termination. These claims shall be dealt with in accordance with the provisions of this section in the same manner as if it had not been terminated.

Notwithstanding any of the foregoing, if OPA price ceilings cease to be applicable to the sales of hardwood flooring or northern hardwood flooring lumber, the Expediter may terminate this section on such terms and conditions as he may deem proper.

Appendix A: Description of northern area. Northern area means the following hardwood areas:

(a) *Northern hardwood area.* This includes the states of Michigan, Minnesota and Wisconsin.

(b) *Northeastern hardwood area.* This includes the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, all of the state of Maryland except the counties of Garrett, Allegany, Washington and Frederick, and the Dominion of Canada east of the 85th meridian.

Effective date. This section shall become effective as of August 1, 1946.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of Budget, in accordance with the Federal Report Act of 1942.

(Pub. Law 388, 79th Cong.)

Issued this 1st day of August 1946.

[SEAL] WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46-13444; Filed, Aug. 1, 1946;
5:06 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5525]

PART 458—INSPECTION OF RETURNS

SUBPART E—INSPECTION BY CONGRESSIONAL COMMITTEE

§ 458.205 Inspection of income, excess-profits, declared value excess-profits, and capital stock tax returns by the Special Committee to investigate the operation of the national-defense program. Pursuant to the provisions of sections 55 (a), 508, 603, 729 (a), and 1204 of the Internal Revenue Code, income tax, capital stock and declared value excess-profits tax returns for the years 1939 to 1945, inclusive, made under the Internal Revenue Code, and excess-profits tax returns for the years 1940 to 1945, inclusive, shall be open to inspection by the Special Committee established pursuant to Senate Resolution 71, Seventy-seventh Congress, to investigate the operation of the national-defense program, or by any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of the said Senate Resolution 71, Seventy-seventh Congress, as continued by various Senate resolutions.

The inspection of returns herein authorized may be made by the committee or a duly authorized subcommittee thereof, acting directly as a committee or as a subcommittee, or by or through such examiners or agents as the committee or subcommittee may designate or appoint in its written request hereinafter mentioned. Upon written request by the chairman of the committee or of the authorized subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns it is necessary to inspect and the taxable periods covered by the returns, the Secre-

tary and any officer or employee of the Treasury Department shall furnish such committee or subcommittee with any data relating to or contained in any such return, or shall make such return available for inspection by the committee or subcommittee or by such examiners or agents as the committee or subcommittee may designate or appoint, in the office of the Commissioner of Internal Revenue. Any information thus obtained by the committee or subcommittee thereof shall be held confidential: *Provided, however,* That any portion or portions thereof relevant or pertinent to the purpose of the investigation may be submitted by the committee to the United States Senate.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

Approved: July 29, 1946.

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 46-13469; Filed, Aug. 2, 1946;
11:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 132,¹ Amdt. 41]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL; PEARS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 1 (a) (2) the following item is added in its alphabetical order:

Pears, fresh (domestic and imported).

This amendment shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

Approved: July 31, 1946.

N. E. DODD,
Under Secretary of Agriculture.

[F. R. Doc. 46-13440; Filed, Aug. 1, 1946;
4:36 p. m.]

PART 1389—APPAREL

[2d Rev. MPR 578,² Amdt. 7]

MAXIMUM PRICES FOR CERTAIN ESSENTIAL LOW PRICED GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 578 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

¹ 10 F.R. 14954, 15170; 11 F.R. 296, 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3396, 4021, 4090, 4861, 5066, 5353, 5598, 5599, 5539, 5650, 5740, 5868, 5781, 6232, 6606, 6863, 6863, 7185.

² 10 F.R. 13114, 13637.

(a) *What garments are covered.* This regulation covers the garments referred to in (1) and (2) below which are sold or delivered by a manufacturer or manufacturing-retailer on and after November 1, 1945.

2. Section 1 (a) (1) is amended to read as follows:

(1) *Garments produced from fabrics obtained under CPA Order M-328B, Schedules C, J, K or Supplement XIII of Schedule A.* This regulation applies to all garments whose principal materials were obtained with priority assistance granted under CPA Order M-328B, Schedules C, J, K or Supplement XIII to Schedule A, except, however, that the following garments are not covered when sold by the manufacturer at a net price which exceeds the cut-off price specified for that garment in Appendices B, C or D, provided such net price is at or below the price specified for that garment in the "current price" column of the applicable Preference Rating Schedule of CPA Order M-328B under which its principal materials were obtained:

(i) Men's shirts, sizes 13½ to 17 or sizes 17½ and up, made of combed cotton fabric;

(ii) Men's undershorts, sizes 28 to 44 or sizes 46 and up, made of combed cotton fabric;

(iii) Men's tropical weight-suits; and

(iv) Men's suits (other than tropical weight).

(v) Women's, misses' and juniors' slips, sizes 9 to 17, 12 to 44 or 46 and up, made of rayon fabrics.

This regulation, however, does not apply to any ladies' or men's handkerchiefs, nurses' uniforms, caps, collars, cuffs, aprons or bibs, gowns, suits or coats for doctors, dentists, internes, orderlies, druggists and barbers, coats and aprons sets or pants for commercial food handlers and processors, uniform dresses or gowns for hospital patients and workers, commercial food handlers and processors, and beauticians, although made of materials obtained with priority assistance under Schedule C of CPA Order M-328B.

3. Section 2 (b) is amended by deleting the figure "177" at the end of the second sentence and substituting the figure "607."

4. The last sentence in section 2 (b) is amended to read as follows: "However, in the case of garments covered by Maximum Price Regulation 570, Maximum Price Regulation 572, Revised Maximum Price Regulation 287, Maximum Price Regulation 605 and Maximum Price Regulation 607, the manufacturer or manufacturing-retailer may, in determining his maximum price, add to the direct cost of each garment the direct labor cost incurred in attaching labels, as provided in section 6 (d) of this regulation."

5. The first unnumbered paragraph of section 6 (d) is amended to read as follows:

(d) *Calculation of cost of marking.* Under section 2 (b), manufacturers and manufacturing-retailers of garments whose prices are governed by Maximum Price Regulation 570, Maximum Price Regulation 572, Revised Maximum Price

Regulation 287, Maximum Price Regulation 605 and Maximum Price Regulation 607, may include in their cost the cost of direct labor incurred in attaching the required labels. The cost should be calculated as follows:

6. The first sentence of the last unnumbered paragraph of section 6 (d) is amended to read as follows: "Under section 2 (b), in calculating his direct cost of garments whose prices are established under Maximum Price Regulation 570, Maximum Price Regulation 572, Revised Maximum Price Regulation 287, Maximum Price Regulation 605, Maximum Price Regulation 607, the manufacturer or manufacturing-retailer may use the amount found in (3) above as the direct labor cost of attaching labels to each dozen garments covered by this regulation."

7. Section 9 (a) is amended to read as follows:

(a) *Records of manufacturers of garments priced under the General Maximum Price Regulation.* Every manufacturer and manufacturing-retailer must keep the records required by sections 11 and 12 of the General Maximum Price Regulation for all garments for which his maximum prices are established under that regulation.

8. Section 9 (d) is amended by changing the period at the end thereof to a comma and adding thereafter the following: "for all garments for which his maximum prices are established under that regulation."

9. The present paragraph (f) of section 9 is redesignated paragraph (h).

10. The present paragraph (g) of section 9 is redesignated paragraph (i) and is amended to read as follows:

(i) *Records of labor cost of labelling by manufacturers.* Every manufacturer and manufacturer-retailer who adds the cost of labeling to his direct cost of garments for which his maximum prices are established under Maximum Price Regulation 570, Maximum Price Regulation 572, Revised Maximum Price Regulation 287, Maximum Price Regulation 605 or Maximum Price Regulation 607, must prepare and maintain for inspection by the Office of Price Administration, a record showing (1) his direct labor cost for the attaching of labels required by section 6 (d), during the second week that such labor operation is performed, and (2) the total number of garments to which labels are attached during that week.

11. A new paragraph (f) is added to section 9 to read as follows:

(f) *Cost records for manufacturers of garments priced under Maximum Price Regulation 605.* Every manufacturer and manufacturing-retailer must keep the records required by sections 3 and 4 and Appendix D of Maximum Price Regulation 605 for garments for which his maximum prices are established under that regulation.

12. A new paragraph (g) is added to section 9 to read as follows:

(g) *Cost records for manufacturers of garments priced under Maximum Price Regulation 607.* Every manufacturer and

manufacturing-retailer must keep the records required by sections 3 and 4 and Appendices E and F of Maximum Price Regulation 607 for garments for which his maximum prices are established under that regulation.

13. Section 10 (a) is amended to read as follows:

(a) *Regulations superseded.* The coverage of this regulation is stated in section 1. On and after November 1, 1945, this regulation supersedes Revised Maximum Price Regulation 578. Where this regulation applies, and except as provided in section 2, section 3, and section 9 (a), (b), (c), (d), (e), (f), and (g), it supersedes the provisions of the following:

- (1) General Maximum Price Regulation.
- (2) Maximum Price Regulation 177.
- (3) Revised Maximum Price Regulation 287.
- (4) Revised Maximum Price Regulation 330.
- (5) Maximum Price Regulation 570.
- (6) Maximum Price Regulation 572.
- (7) Maximum Price Regulation 580.
- (8) Maximum Price Regulation 605.
- (9) Maximum Price Regulation 607.

14. The table in Appendix B—Cotton Garments—is amended to read as follows:

Garment	Size range	Cut-off price	
		Manufacturer's price	Manufacturing-retailer's price
Dresses:		Dozen	Each
Infants'	0-1	\$11.00	\$1.40
Toddlers'	1-3	16.50	2.10
Children's	3-6x	16.50	2.10
Girls'	7-14	18.00	2.30
Teen-age girls'	10-16	21.00	2.70
Women's, misses' and juniors'	(36-44) (8-20)	25.50	3.20
Women's extra sizes	46 and up	33.00	4.20
Blouses:			
Children's	2-6x	12.75	1.60
Girls'	7-14	14.50	1.85
Slips:			
Toddlers'	1-3	4.50	.55
Girls' (Gertrude type)	2-14	7.50	.95
Girls' (shoulder strap)	10-16	9.75	1.25
Women's	38-44	9.50	1.20
Women's extra sizes	46 and up	11.50	1.45
Panties: Girls'	2-12	6.00	.75
Nightgowns:			
Infants'	0-1	5.25	.65
Toddlers'	1-3	6.50	.80
Children's	2-8	9.75	1.25
Girls'	8-16	13.75	1.75
Women's	42 and up	20.25	2.60
Gertrudes (infants')	0-1	5.25	.65
Kimongs (infants')	0-1	5.00	.65
Shirts:			
Boys'	11-14½	13.75	1.75
Men's	13½-17	18.75	2.40
Men's extra sizes	17½ and up	25.75	3.30
Shirts and blouses (boys)	2-10	10.00	1.25
Undershorts:			
Boys'	6-16	5.25	.65
Men's	28-44	6.00	.75
Men's extra sizes	46 and up	9.75	1.25
Pants (boys')	4-10	14.75	1.85
Washsuits:			
Toddlers'	1-4	16.75	2.10
Boys'	3-12	18.50	2.30
Creepers and rompers	6 mos.-2 yrs	12.00	1.50
Overalls and coveralls:			
Infants'	6 mos.-2 yrs	11.25	1.40
Toddlers'	1-4	12.75	1.60
Children's (boys' and girls')	2-8	12.75	1.60
Sunsuits: Boys' and girls'	1-8	9.00	1.15
Pajamas:			
Toddlers'	1-4	13.50	1.70
Children's	2-8	15.00	1.90
Girls'	8-16	17.25	2.20
Boys'	8-16	17.25	2.20

15. The table in Appendix C—Wool garments—is amended to read as follows:

Garment	Size range	Cut-off price	
		Manufacturer's price	Manufacturing-retailer's price
Coats:			
Infants' (boys' and girls')	6 mos.-2 yrs	Each \$4.75	Each \$7.40
Toddlers' (boys' and girls')	1-4	5.75	9.00
Children's (boys' and girls')	3-8	6.75	10.60
Girls'	7-14	8.75	13.60
Teen-age girls'	10-16	10.75	16.80
Women's, misses' and juniors'	36-44, 8-20, 7-17	16.75	26.00
Women's extra sizes	46 and up	18.75	29.50
Suits (feminine):			
Girls'	7-14	8.75	13.60
Teen-age girls'	10-16	10.75	16.80
Women's, misses' and juniors'	36-44, 8-20, 7-17	16.75	26.00
Women's extra sizes	46 and up	18.75	29.50
Suits (masculine):			
Juniors'	3-6	2.00	3.10
Girls'	7-14	2.50	3.90
Teen-age girls'	10-16	3.00	4.70
Women's, misses' and juniors'	36-44, 8-20, 7-17	3.50	5.50
Women's extra sizes	46 and up	4.00	6.20
Skirts:			
Children's	3-6	2.00	3.10
Girls'	7-14	2.50	3.90
Teen-age girls'	10-16	3.00	4.70
Women's, misses' and juniors'	36-44, 8-20, 7-17	3.50	5.50
Men's tropical weight:			
(made of fabric weighing not more than 11 ounces per linear yard on a 54" basis)	All sizes	17.00	26.50
Separate trousers:			
Juniors'	3-16	2.75	4.30
Cadets'	8-16	3.50	5.50
Students'	25-32	4.75	7.40
Men's (other than tropical weight):	All sizes	6.00	9.40
Overcoats and topcoats:			
Juniors'	4-12	9.25	14.40
Boys'	8-20	11.00	17.20
Students'	12-24, 32-38	14.00	22.00
Men's	All sizes	23.75	37.00
Snow or ski suits:			
Toddlers'	1-4	4.75	7.40
Children's	2-6, 3-8	6.75	10.60
Girls' or boys'	7-14	8.75	13.60
Legging sets or coat and ski pants sets:			
Toddlers'	1-4	6.75	10.60
Children's	2-6, 3-8	8.75	13.60
Girls' or boys'	7-14	10.00	15.60
Separate ski pants:			
Children's	2-6x, 3-8	2.50	3.90
Girls' or boys'	7-14	3.25	5.10

16. The table in Appendix D—Rayon and other Synthetic Garments—is amended by adding a new category described as "Girls" to the group of garments listed under "Slips," with the size range and prices as indicated below:

Garment	Size range	Cut-off price	
		Manufacturer's price	Manufacturing-retailer's price
Slips: Girls'	7-14	Dozen \$10.75	Each \$1.40

This amendment shall become effective August 1, 1946, except, however, that with respect to the garments referred to in section 1 (a) (2), the provisions of this amendment revising cut-off prices, as set forth in paragraphs 14, 15, and 16 of this amendment, shall become effective August 15, 1946.

NOTE: All record-keeping requirements of this amendment have been approved by the

FEDERAL REGISTER, Saturday, August 3, 1946

Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13438; Filed, Aug. 1, 1946;
4:40 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 432,¹ Amdt. 10]

NORTHERN HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 432 is amended in the following respects:

1. In section 3, *Maximum f. o. b. mill prices*, paragraph (a) is amended to read as follows:

(a) On and after the maximum f. o. b. mill prices for Northern hardwood flooring are those set forth in Article IV: *Provided*, That on thicknesses of 25/32" and less, the maximum prices are those so set forth, plus 5%.

NOTE: The 5% addition shall be shown separately on the invoice.

2. In section 8, *Prohibited practices*, a new undesignated paragraph is added to read as follows:

It shall be a violation of this regulation for a flooring mill to deliver or agree to deliver flooring covered by this regulation to a person in consideration of, or in return for, the delivery of lumber to such flooring mill, or to accomplish the same result by any other trading devices, the effects of which are to give or receive

additional consideration of any type, over and above the payment of the maximum price.

This amendment shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13436; Filed, Aug. 1, 1946;
4:36 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 458,¹ Amdt. 7]

OAK, PECAN AND MISCELLANEOUS HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 458 is amended in the following respects:

1. In section 3, *Maximum f. o. b. mill prices*, paragraph (a) is amended to read as follows:

(a) On and after August 1, 1946, the maximum f. o. b. mill prices for the hardwood flooring covered by this regulation are those set forth in the designated tables, plus the amounts indicated below:

	Addition per M'BM
Article IV—Table 1	5%
Article IV—Table 2	\$5.00
Article V—Table 3	5%
Article V—Table 4	\$5.00
Article VI—Table 5	5%
Article VI—Table 6	\$5.00
Article VII—Table 7	None
Article VII—Table 8	5%
Article VII—Table 9	\$5.00

	Addition per M'BM
Article VIII—Table 10	5%
Article VIII—Table 11	\$5.00

NOTE: The 5% or \$5.00 addition shall be shown separately on the invoice.

2. In section 8, *Prohibited practices*, a new undesignated paragraph is added to read as follows:

It shall be a violation of this regulation for a flooring mill to deliver or agree to deliver flooring covered by this regulation to a person in consideration of, or in return for, the delivery of lumber to such flooring mill, or to accomplish the same result by any other trading devices, the effects of which are to give or receive additional consideration of any type, over and above the payment of the maximum price.

This amendment shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13437; Filed, Aug. 1, 1946;
4:36 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,² Amdt. 91]

HOTELS AND ROOMING HOUSES

The application of the Rent Regulation for Hotels and Rooming Houses is terminated in a portion of the St. Augustine Defense-Rental Area in Florida, consequently a portion of the above-named area is decontrolled and Item 63a of Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended to read as follows:

Name of defense-rental area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(63a) St. Augustine	Florida	St. Johns County, except that portion of Ponte Vedra Beach located in Precinct 1	Mar. 1, 1943	June 1, 1944	July 15, 1944

Issued and effective August 1, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13439; Filed, Aug. 1, 1946;
4:40 p. m.]

PART 1397—SILVER

[RMPPR 198, Amdt. 2]

SILVER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 198 is amended in the following respects:

1. Section 3 (b) is amended to read as follows:

(b) *Base prices*. The maximum price for standard commercial bars, delivered, free of all charges, to the seller's most favorable basing point shall be: 90.5 cents per fine troy ounce or the Treasury's selling price for silver per fine troy ounce, whichever is higher.

2. Section 4 (a) is amended to read as follows:

(a) *Maximum prices*. Maximum prices for semifabricated articles shall be determined by taking as a base the highest price charged by the seller during March, 1942 for the same commodity containing foreign silver and adding to this base price, for each fine troy ounce of silver contained in the article to be priced, the difference between 34.986 cents and the maximum base price for standard commercial bars as set forth in section 3 (b) of this regulation.

3. Section 4 (c) is revised to read as follows:

(c) *Additions to base price*. To find the maximum price, take the base price, figured according to the rules in para-

graph (b) of this section, and add, for each fine troy ounce of silver contained in the article sold, the difference between 34.986 cents and the maximum base price for standard commercial bars as set forth in section 3 (b) of this regulation.

4. Section 7 is amended to read as follows:

SEC. 7. *Maximum prices for silver scrap*. The maximum price for silver scrap per fine troy ounce of silver contained, delivered free of all charges to the buyer's receiving point, shall be .25 cent below the maximum base price for standard commercial bars as set forth in section 3 (b) of this regulation.

This amendment shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13433; Filed, Aug. 1, 1946;
4:39 p. m.]

¹ 8 F. R. 15323; 9 F. R. 457; 10 F. R. 12118;
11 F. R. 1622.

² 11 F. R. 4000, 4163, 4582, 4730, 5542, 5954,
5825, 5951, 5952, 6783, 7424, 7426.

PART 1499—COMMODITIES AND SERVICES
 [SR 14C¹ Amdt. 19]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN FOODS AND BEVERAGES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

1. Section 4.3 is amended to read as follows:

SEC. 4.3 Certain wet corn milling products—(a) *Maximum prices for processors and repackers.* The maximum price which any processor or repacker may charge for corn starch and dextrose products in bulk, corn syrup unmixed in bulk, corn syrup solids in bulk, crude corn sugar in bulk, refined corn sugars in bulk and packaged corn starch shall be:

(1) His maximum price per hundredweight as established under § 1499.2 of the General Maximum Price Regulation (the highest price charged in March 1942) for sales of the same type, condition, brand (if any) and container type and size, to the same class of purchaser;

(2) Plus the following amounts for the following products:

(i) For corn starch and dextrose products in bulk (containing an average moisture content between and including 11½ percent and 14 percent), \$0.68 per hundredweight for sales made between April 11 and May 19, 1946, inclusive; \$1.12 per hundredweight for sales made on and after May 20, 1946. In the case of any type or grade of corn starch or dextrose product in bulk which has an average moisture content below 11½ percent or above 14 percent the maximum price shall be computed by adjusting the figures stated on the basis of dry starch of 11½ percent moisture content.

In the case of other bulk products not wholly corn starch or dextrose the figures stated shall be adjusted by multiplying it by the percentage (by weight) of corn starch or dextrose contained therein, also on the basis of dry starch of 11½ percent moisture content.

(ii) For bulk corn syrup unmixed, \$0.59 per hundredweight for sales between April 11 and May 19, 1946, inclusive; \$0.98 per hundredweight for sales made on and after May 20, 1946: *Provided, however,* That for sales in barrels or half-barrels the resulting figure may be further increased by

(a) \$0.24 per hundredweight for sales in barrels.

(b) \$0.29 per hundredweight for sales in half-barrels.

(iii) For corn syrup solid in bulk, \$0.65 per hundredweight for sales between April 11 and May 19, 1946, inclusive; \$1.07 per hundredweight for sales made on and after May 20, 1946.

(iv) For crude corn sugar in bulk, \$0.59 per hundredweight for sales made between April 11 and May 19, 1946, includ-

sive; \$0.98 per hundredweight for sales made on and after May 20, 1946.

(v) For refined corn sugars and dextrose in bulk, \$0.80 per hundredweight for sales made between March 21 and May 19, 1946, inclusive; \$1.32 per hundredweight for sales made on and after May 20, 1946.

(vi) For packaged corn starch, \$0.0112 for each pound of corn starch in the selling unit for sales on and after July 27, 1946;

(3) Plus the following amounts for the following products respectively, for sales made on and after July 27, 1946, but only during such time as corn is not subject to price control:

(i) For corn starch and dextrose products in bulk, \$1.65 per hundredweight.

(ii) For bulk corn syrup unmixed, \$1.44 per hundredweight.

(iii) For corn syrup solids in bulk \$1.57 per hundredweight.

(iv) For crude corn sugar in bulk, \$1.44 per hundredweight.

(v) For refined corn sugars and dextrose in bulk, \$1.95 per hundredweight.

(vi) For packaged corn starch \$0.0165 for each pound of corn starch in the selling unit.

In the event that corn becomes subject to price control, the maximum price for the above named corn products shall be the sum of subparagraphs (1) and (2) above.

(b) *Maximum prices which sellers at wholesale may charge.* (1) For sales of corn starch and dextrose products in bulk, corn syrup unmixed in bulk, corn syrup solids in bulk and refined and crude corn sugar in bulk made prior to July 1, 1946, pursuant to Order 53 under § 1499-19a of the General Maximum Price Regulation, sellers at wholesale shall determine their maximum prices in accordance with paragraph (a) of this section 4.3.

(2) For sales of these commodities made on and after July 27, 1946, maximum prices for sellers at wholesale shall be determined as follows:

(i) Each seller at wholesale shall take his maximum price as of March 31, 1946;

(ii) Divide this price by his most recent "net delivered cost" for the item prior to March 31, 1946;

(iii) Multiply the percentage so obtained by the current "net delivered cost" for the item being priced.

"Net delivered cost" means the amount he pays for the commodity (not in excess of his supplier's maximum price) delivered at his customary receiving point, less all discounts allowed him, except the discount for prompt payment.

(3) For sales of packaged corn starch by sellers at wholesale not subject to Maximum Price Regulation 421, maximum prices shall be determined in the same manner as for other corn products set forth in sub-paragraph (2) above.

(c) *Notification to wholesalers and retailers of authorized change in maximum price of packaged corn starch.* With the first delivery after August 4, 1946, and with the first delivery after any change in the seller's maximum price of any item of packaged corn starch in containers of 10 pounds or less in any case where a seller determines his maximum price

pursuant to this section, he shall supply each wholesaler and retailer who purchases from him with a written notice as set forth below:

(Date) -----

NOTICE TO WHOLESALERS AND RETAILERS SUBJECT TO MAXIMUM PRICE REGULATIONS 421, 422 AND 423

Our OPA ceiling price for _____ (describe item by variety, grade, brand (if any), container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification on or after (insert effective date of the applicable amendment). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after the processor has established his maximum price under this section, and with his first shipment after the 60-day period to each purchaser who has not made a purchase within that time, the seller shall include the notice set forth above in each case or carton containing the item, or securely attach it to the case or carton, or insert it on or attach it to the invoice covering the shipment.

(d) *Definitions.* As used in this section, the term:

(1) "Corn starch and dextrose" means the carbohydrates extracted from corn grain by the wet milling process commercially dry, in suspended form, thin boiling, thick boiling, oxidized, rolled or roasted, but does not include products commercially known as refinery products.

(2) "Corn syrup unmixed" means all commodities manufactured by the wet corn milling process commercially known as refinery products except crude corn sugar, hydrol or corn molasses, corn syrup solids, fully refined sugar and corn oil.

(3) "Corn syrup solids" means all types and grades of dehydrated commodities manufactured by the wet corn milling process and commercially known as refinery products having a dextrose equivalent of 65 percent or less.

(4) "Crude corn sugar" means those commodities manufactured by the wet corn milling process and commercially known as refinery products having an average dextrose content between and including 70 percent to 80 percent; 70 sugar and 80 sugar when used in reference to crude corn sugar refer to minimum average dextrose content.

(5) "Bulk" or "in bulk" means in tank cars, tank wagons, barrels, half-barrels, steel drums, in bags, in bulk in cars, or in other containers of more than 10 pounds net weight, except that when sales of corn starch and dextrose are made to any government purchasing agency "bulk" or "in bulk" means in tank cars, tank wagons, barrels, half-barrels, steel drums, in bags, in bulk in cars, or in other containers of more than 4 pounds net weight.

(6) "Refined corn sugar in bulk" means all commercial types of purified

¹ 10 F.R. 1165, 1764, 2618, 5458, 6308, 8020, 9010, 7882, 10124, 10281, 11364, 11906, 13369, 13370, 14295, 14318; 11 F.R. 14619.

and crystallized corn sugar packaged in containers of 10 pounds or more, having a dextrose content of over 90 percent.

(7) "Packaged corn starch" means corn starch, edible or gloss, packaged in containers of 10 pounds or less.

(8) "Repacker" means a person other than a processor, wholesaler or retailer, who purchases the particular goods being priced and resells them after repackaging.

2. Section 4.9 is added to read as follows:

SEC. 4.9. Blended syrups—(a) Maximum prices which blenders of syrups may charge. Maximum prices which blenders may charge for any item of blended syrups except those containing 15 percent or more of maple syrup or five percent or more of country cane syrup, shall be:

(1) The blender's maximum price as established under § 1499.2 of the General Maximum Price Regulation for sales of that item to the same class of purchasers; plus

(2) An amount calculated as follows:

(i) Determine the net weight of each pure syrup contained in the sales unit in pounds and fractions thereof;

(ii) Multiply each of the net weights found in (i) by the applicable amount set out in the following table:

Pure syrups:	Permitted increase per pound
Corn syrup	\$0.0098
Commercial cane syrup	.0035
Country cane syrup	.007
Maple syrup	.10
Second molasses	.0017
Direct consumption sugar, solid content	.0065
Liquid malt syrup	.0052

(iii) Total the results obtained in (ii);

(iv) From the figure obtained in (iii) subtract \$0.0017 per pound for each pound of first molasses, if any, contained in the item.

For sales made after August 1, 1946, but only during such time as corn is not subject to price control, the amount of \$0.0144 may be added for each pound, net weight, of corn syrup in the item being sold.

(b) *Maximum prices for sales by wagon wholesalers of blended syrups.* A wagon wholesaler's maximum price for any item of blended syrups except those containing 15 percent or more of maple syrup or five percent or more of country cane syrup shall be determined in the following manner:

(1) He shall take his maximum price established under § 1499.2 (a) of the General Maximum Price Regulation;

(2) Divide this price by his most recent "net delivered cost" for the item prior to March 31, 1946; and

(3) Multiply the percentage so obtained by his current "net delivered cost" for the item being priced. The resulting figure shall be his maximum price for the item.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial, or institutional users from an inventory stocked in trucks or other conveyances which are under the supervi-

sion of driver salesmen who make delivery at the time and place of sale.

A wagon wholesaler's "net delivered cost" means the amount he pays (not in excess of his supplier's maximum price) for the item delivered at his customary receiving point less all discounts allowed him, except the discount for prompt payment. However, no expense of local trucking or handling shall be included.

(c) *Notification of new maximum prices.* With the first delivery of any item of blended syrup in any case where a seller determines his maximum prices pursuant to this section and with the first delivery after any change in the seller's maximum price, he shall supply each wholesaler and retailer, subject to MPRs 421, 422 or 423, who purchases from him, with a written notice, as set forth below:

(insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, grade, brand, and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 and 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification on and after (insert effective date of ceiling price change). You must refigure your ceiling price following the rules in Section 6 of Maximum Price Regulations Nos. 421, 422 or 423, or subsection (b) of this section, whichever is applicable to you.

For a period of 60 days after determining such maximum prices and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton or other receptacle containing the item, the written notice set forth above, or securely attach it to the case or carton or insert it on or attach it to the invoice covering the shipment.

(d) *Information to be filed.* Each blender who determines a price for any blended syrup pursuant to the provisions of this section 4.9 shall, not later than 10 days after establishing his new maximum prices, file the following information with the Office of Price Administration, Washington 25, D. C.

(1) His maximum selling prices for each item as determined under § 1499.2 of the General Maximum Price Regulation;

(2) The net weight of each kind of pure syrup contained in each item of blended syrup which he sells; and

(3) His new maximum selling price as determined pursuant to this section 4.9.

This information is to be submitted on OPA Form 6035-2877, copies of which may be obtained from the District Office in which his principal place of business is located. One copy of this report shall be filed with the Sugar Section, Food Price Division, Washington, D. C.

(e) *Definitions.* For the purpose of this section, the term:

(1) "Maple syrup" means syrup made by the evaporation of pure maple sap or from a solution of maple concrete (maple sugar). It contains not more than 35 percent of water and weighs not less than 11 pounds to the gallon (231 cubic

inches). It shall also include maple syrup sap of a density of 33 degrees, 34 degrees or 35 degrees Baume.

(2) "Corn syrup" all commodities manufactured by the wet corn milling process commercially known as refinery products except crude corn sugar, hydrolyzed or corn molasses, corn syrup solids and fully refined sugar and corn oil.

(3) "Commercial cane syrup" means the juice of sugar cane clarified and evaporated to a density of not less than 39 degrees Baume at 20 degrees Centigrade and contains not more than 2.5 percent ash. It may or may not contain sulphur dioxide, used as a clarifying and bleaching agent, and is produced in a mill which at this time is, or which during the cane grinding season of 1941 was, equipped with machinery to manufacture sugar.

(4) "Country cane syrup" means the juice of sugar cane clarified and evaporated to a density of not less than 39 degrees Baume at 20 degrees Centigrade and contains not more than 2.5 percent ash. It may or may not contain sulphur dioxide, used as a clarifying and bleaching agent, and is completely produced in a mill which at this time is equipped for the production of cane syrup exclusively and which is not now, and was not during the cane grinding season of 1941 equipped with machinery to manufacture sugar.

(5) "First molasses" means the product which remains after one extraction of sugar from the clarified and concentrated juice of sugar cane before the extraction of all commercially available sucrose.

(6) "Second molasses" means the product remaining from the juice of sugar cane after more than one extraction of sugar but before the extraction of all commercially available sugar.

(7) "Direct-consumption sugars" means any grade, or type of saccharine product derived from sugar beets or sugar cane, which is not to be, and which shall not be, further refined or otherwise improved in quality; except sugar in liquid form which contains non-sugar solids (excluding any foreign substance that may have been added) equal to more than 6 per centum of the total soluble solids, and except also syrup of cane juice produced from sugar cane grown in continental United States.

(8) "Liquid malt syrup" means a syrup prepared from an infusion of barley malt (sprouted barley) with or without other cereals concentrated to a moisture content of approximately 20 percent to 50 percent.

This amendment shall become effective August 1, 1946.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

Approved, July 31, 1946.

N. E. DODD,

Under Secretary of Agriculture.

[F. R. Doc. 46-13424; Filed, Aug. 1, 1946;
4:30 p.m.]

**TITLE 49—TRANSPORTATION AND
RAILROADS**

**Chapter I—Interstate Commerce
Commission**

[S. O. 70, Amdt. 4]

**PART 95—CAR SERVICE
REFRIGERATOR CARS**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 70, and good cause appearing therefor:

It is ordered, That Service Order No. 70 as amended (8 F.R. 8515) be, and it is hereby further amended by adding the following paragraph:

This order, as amended, shall expire at 11:59 p. m., May 10, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)—(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 10, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13483; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 82, Amdt. 1]

PART 95—CAR SERVICE

MOVEMENT OF LIVESTOCK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 82, and good cause appearing therefor:

It is ordered, That Service Order No. 82 (8 F.R. 8515) be, and it is hereby amended by adding the following paragraph:

This order, as amended, shall expire at 11:59 p. m., September 10, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)—(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 10, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that

agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13484; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 87, Amdt. 3]

PART 95—CAR SERVICE

DEMURRAGE ON COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of August A. D. 1946.

Upon further consideration of the provisions of Service Order No. 87, and good cause appearing therefor:

It is ordered, That Service Order No. 87 (7 F.R. 8066) as amended (7 F.R. 8434, 11 F.R. 4737) be, and it is hereby further amended by adding the following paragraph (c):

(c) This order, as amended, shall expire at 11:59 p. m., November 10, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)—(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 20, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13485; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 129, Amdt. 1]

PART 95—CAR SERVICE

**ICE IN REFRIGERATOR CARS, SUSPENSION OF
TARIFF FOR REMOVAL BY CONSIGNEE**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 129, and good cause appearing therefore:

It is ordered, That Service Order No. 129 (8 F.R. 7778) be, and it is hereby amended by adding the following paragraph (c):

(c) This order, as amended, shall expire at 11:59 p. m., December 10, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat.

476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)—(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 16, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13486; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 135, Amdt. 2]

PART 95—CAR SERVICE

**DEMURRAGE CHARGES AT MEXICAN BORDER
POINTS**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A.D. 1946.

Upon further consideration of the provisions of Service Order No. 135, and good cause appearing therefor:

It is ordered, That Service Order No. 135 (8 F.R. 9569) as amended (8 F.R. 10941) be, and it is hereby further amended by adding the following paragraph (e) to § 95.502 Demurrage charges at Mexican border points.

(e) This order, as amended, shall expire at 11:59 p. m., February 5, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)—(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 17, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13487; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 201, Amdt. 1]

PART 95—CAR SERVICE

**REFRIGERATOR CARS, USE FOR TRANSPORTING
ICE**

At a session of the Interstate Commerce Commission, Division 3, held at its

FEDERAL REGISTER, Saturday, August 3, 1946

office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 201, and good cause appearing therefor:

It is ordered, That Service Order No. 201 (9 F.R. 5078) be, and it is hereby amended by adding the following paragraph (f) to § 95.338, *Refrigerator cars—use for transporting ice:*

(f) This order, as amended, shall expire at 11:59 p. m., November 17, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 17, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13488; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 213, Amdt. 1]

PART 98—CAR SERVICE

TRANSPORTATION PRIORITY FOR DISABLED MILITARY, NAVAL OR MERCHANT MARINE PERSONNEL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 213, and good cause appearing therefor:

It is ordered, That Service Order No. 213 (9 F.R. 7088) be, and it is hereby further amended by adding the following paragraph (g):

(g) This order, as amended, shall expire at 11:59 p. m., March 8, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 8, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.,

and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13489; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 221, Amdt. 2]

PART 95—CAR SERVICE

UTILIZATION OF ROUGH BOXCARS FOR LOADING SHINGLES FROM OREGON AND WASHINGTON

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 221 (9 F.R. 9296) as amended (9 F.R. 8188), and good cause appearing therefor,

It is ordered, That Service Order No. 221 as amended be, and it is hereby, further amended by adding the following paragraph (h) thereto,

(h) This order, as amended, shall expire at 11:59 p. m. December 5, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective 12:01 a. m., August 5, 1946; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13490; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 234, Amdt. 1]

PART 95—CAR SERVICE

REDUCTION OF FREE TIME ON LESS-THAN-CARLOAD FREIGHT AT MEXICAN BORDER POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July 1946.

Upon further consideration of the provisions of Service Order No. 234, and good cause appearing therefor:

It is ordered, That Service Order No. 234 (9 F.R. 11653) be, and it is hereby amended by adding the following paragraph (d) thereto:

(d) This order, as amended, shall expire at 11:59 p. m., September 20, 1946, unless otherwise modified, changed, suspended or annulled by order of this Com-

mission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m. August 20, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13491; Filed, Aug. 2, 1946;
11:47 a. m.]

[S. O. 240, Amdt. 1]

PART 95—CAR SERVICE

RESTRICTION ON RECONSIGNMENT AND DIVERSION OF POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 240, and good cause appearing therefor:

It is ordered, That Service Order No. 240 (9 F.R. 12134) be, and it is hereby amended by adding the following paragraph (g) thereto:

(g) This order, as amended, shall expire at 11:59 p. m., May 18, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 18, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13497; Filed, Aug. 2, 1946;
11:48 a. m.]

[S. O. 260, Amdt. 2]

PART 95—CAR SERVICE

SALTING OF ICE ON CARS OF CITRUS

At a session of the Interstate Commerce Commission, Division 3, held at

its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of Service Order No. 260, and good cause appearing therefor:

It is ordered, That Service Order No. 260 (9 F.R. 14547) as amended (10 F.R. 4818) be, and it is hereby further amended by adding the following paragraph (e) thereto:

(e) This order, as amended, shall expire at 11:59 p. m., January 2, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 15, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13492; Filed, Aug. 2, 1946;
11:48 a. m.]

[S. O. 369, Amdt. 5]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON CLOSED BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of August A. D. 1946.

Upon further consideration of Service Order No. 369 (10 F.R. 14030), as amended (10 F.R. 1503; 11 F.R. 639; 2383, 7857), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 369 as amended be, and it is hereby further amended by substituting the following paragraph (c) (3) for paragraph (c) (3) thereof:

(c) *Application*—(3) Exemptions. Import, export, coastwise or intercoastal traffic, during the period such traffic held in cars at ports for transfer to or from vessels or held at United States border crossings, is not subject to this order.

It is further ordered, That this amendment shall become effective at 7:00 a. m., August 5, 1946, and the provisions of this Amendment shall apply only to cars on which the free time expires on or after the effective date hereof.

It is further ordered, That a copy of this order and direction shall be served upon each State railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission

at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13493; Filed, Aug. 2, 1946;
11:48 a. m.]

[S. O. 559, Amdt. 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON GONDOLA, OPEN AND COVERED HOPPER CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of August A. D. 1946.

Upon further consideration of Service Order No. 559 (11 F.R. 8166), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 559 be, and it is hereby, amended by substituting the following paragraph (c) (3) for paragraph (c) (3) thereof:

(c) *Application*—(3) Exemptions. Import, export, coastwise or intercoastal traffic, during the period such traffic held in cars at ports for transfer to or from vessels or held at United States border crossings, is not subject to this order.

It is further ordered, That this amendment shall become effective at 7:00 a. m., August 5, 1946, and the provisions of this Amendment shall apply only to cars on which the free time expires on or after the effective date hereof.

It is further ordered, That a copy of this order and direction shall be served upon each State railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13495; Filed, Aug. 2, 1946;
11:48 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

ALABAMA, FLORIDA, GEORGIA, SOUTH CAROLINA

DETERMINATION OF AVERAGE VALUE OF EFFICIENT FAMILY-SIZE FARM MANAGEMENT UNITS

In accordance with the item entitled, "Farm Tenancy," contained in the Department of Agriculture Appropriation Act, 1947 (Public Law 422, 79th Congress, approved June 22, 1946), no loans under

Title I of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 7 U. S. C. 1000-1006), excepting those to eligible veterans, may be made for the acquisition or enlargement of farms which have a value, as acquired, enlarged, or improved, in excess of the average value of efficient family-size farm-management units, as determined by the Secretary of Agriculture, in the county, parish, or locality where the farm is located. The average values of efficient family-size farm-management units in the States and counties named below have been determined to be as follows:

ALABAMA

County	Value	County	Value
Autauga	\$5,000	Tallapoosa	\$6,000
Baldwin	8,000	Tuscaloosa	7,000
Barbour	6,500	Walker	6,500
Bibb	8,000	Washington	4,500
Blount	7,700	Wilcox	9,500
Bullcock	6,500	Winston	6,500
Butler	6,500	Alachua	8,000
Calhoun	8,500	Baker	6,000
Chambers	6,000	Bay	6,500
Cherokee	8,500	Bradford	7,000
Chilton	6,000	Brevard	7,000
Choctaw	5,000	Calhoun	7,500
Clarke	5,000	Citrus	6,000
Clay	6,500	Clay	7,500
Cleburne	6,000	Columbia	7,500
Coffee	7,000	Dade	10,000
Colbert	9,000	DeSoto	7,500
Conecuh	7,000	Dixie	7,000
Coosa	5,000	Duval	10,000
Covington	7,000	Escambia	8,000
Crenshaw	6,000	Gadsden	10,000
Cullman	7,500	Gilchrist	7,000
Dale	7,700	Glades	7,500
Dallas	9,500	Hamilton	8,000
De Kalb	8,000	Hardee	9,000
Elmore	6,500	Hendry	7,500
Escambia	7,500	Hernando	7,000
Etowah	9,000	Hillsborough	10,000
Fayette	6,500	Holmes	7,500
Franklin	7,000	Jackson	10,000
Geneva	8,000	Jefferson	8,000
Greene	10,000	Lafayette	8,000
Hale	10,000	Lake	8,000
Henry	8,000	Lee	7,500
Houston	8,000	Leon	10,000
Jackson	7,500	Levy	7,000
Jefferson	7,000	Liberty	6,000
Lamar	6,500	Madison	8,000
Lauderdale	8,500	Manatee	8,500
Lawrence	8,500	Marion	8,000
Lee	5,500	Martin	7,500
Limestone	9,000	Nassau	5,000
Lowndes	9,000	Okaloosa	7,000
Macon	6,000	Okeechobee	7,500
Madison	10,000	Orange	8,000
Marengo	10,000	Osceola	7,000
Marion	6,500	Palm Beach	10,000
Marshall	8,000	Pasco	7,000
Mobile	7,500	Polk	10,000
Monroe	7,500	Putnam	8,000
Montgomery	11,000	Saint Johns	10,000
Morgan	7,500	Santa Rosa	8,000
Perry	9,000	Seminole	8,500
Pickens	6,500	Sumter	6,000
Pike	6,500	Suwannee	8,000
Randolph	6,500	Taylor	5,000
Russell	6,000	Union	7,000
Saint Clair	6,500	Volusia	7,500
Shelby	6,500	Wakulla	6,000
Sumter	10,000	Walton	7,000
Talladega	7,800	Washington	7,500

GEORGIA

Appling	\$6,500	Bartow	\$6,000
Atkinson	6,000	Ben Hill	7,000
Bacon	6,500	Berrien	7,500
Baker	4,500	Bibb	6,000
Baldwin	5,500	Bleckley	5,290
Banks	4,500	Brantley	5,000
Barrow	6,000	Brooks	7,500

FEDERAL REGISTER, Saturday, August 3, 1946

GEORGIA—continued

County	Value	County	Value
Bulloch	\$7,500	Long	\$6,000
Burke	6,500	Lowndes	8,500
Butts	6,250	Lumpkin	5,000
Calhoun	5,000	McDuffie	6,000
Candler	6,500	Macon	6,500
Carroll	5,000	Madison	6,000
Catoosa	7,000	Marion	4,500
Chattooga	6,000	Meriwether	6,000
Cherokee	6,000	Miller	6,000
Clarke	5,000	Mitchell	7,000
Clay	5,500	Monroe	7,500
Clayton	6,000	Montgomery	6,000
Cobb	6,000	Morgan	7,000
Coffee	7,000	Murray	4,800
Colquitt	8,500	Newton	6,000
Columbia	6,000	Oconee	6,000
Cook	8,500	Oglethorpe	6,000
Coweta	5,250	Paulding	5,500
Crawford	5,000	Peach	7,000
Crisp	6,000	Pickens	5,000
Dade	7,000	Pierce	7,000
Dawson	4,500	Pike	6,000
Decatur	6,500	Polk	6,275
DeKalb	5,000	Pulaski	4,920
Dodge	5,000	Putnam	6,000
Dooly	6,000	Quitman	5,000
Dougherty	5,500	Rabun	7,500
Douglas	5,000	Randolph	6,000
Early	6,000	Richmond	6,500
Echols	4,500	Rockdale	5,000
Effingham	4,800	Schley	5,000
Elbert	6,000	Sc生生	6,000
Emanuel	6,397	Seminole	6,000
Evans	6,500	Spalding	5,000
Fannin	5,000	Stephens	5,000
Fayette	5,000	Stewart	5,000
Floyd	6,000	Sumter	6,000
Forsyth	5,000	Talbot	5,000
Franklin	6,000	Taliaferro	6,000
Fulton	7,000	Tattnall	7,000
Gilmer	5,000	Taylor	6,160
Glascock	5,000	Telfair	6,000
Gordon	6,000	Terrell	6,500
Grady	7,166	Thomas	7,500
Greene	6,000	Tift	7,500
Gwinnett	6,000	Toombs	7,500
Habersham	4,500	Towns	6,050
Hall	5,000	Treutlen	5,000
Hancock	5,000	Troup	5,000
Haralson	4,800	Turner	6,000
Harris	4,500	Twiggs	5,000
Hart	7,000	Union	8,150
Heard	5,000	Upson	5,000
Henry	6,000	Walker	6,800
Houston	6,000	Walton	6,500
Irwin	7,500	Ware	7,000
Jackson	5,500	Warren	6,000
Jasper	6,000	Washington	6,000
Jeff Davis	6,000	Wayne	6,000
Jefferson	6,000	Webster	5,000
Jenkins	6,000	Wheeler	5,000
Johnson	6,000	White	4,900
Jones	5,000	Whitfield	6,000
Lamar	6,000	Wilcox	6,000
Lanier	6,975	Wilkes	6,000
Laurens	6,000	Wilkinson	5,000
Lee	5,000	Worth	7,500

SOUTH CAROLINA

Abbeville	\$7,000	Dorchester	\$7,500
Aiken	7,500	Edgefield	8,500
Allendale	8,000	Fairfield	7,000
Anderson	8,500	Florence	10,000
Bamberg	9,000	Georgetown	7,500
Barnwell	8,000	Greenville	9,000
Beaufort	7,500	Greenwood	7,000
Berkeley	7,500	Hampton	8,000
Calhoun	9,000	Horry	10,000
Charleston	7,500	Jasper	7,500
Cherokee	7,500	Kershaw	8,000
Chester	8,500	Lancaster	8,000
Chesterfield	8,000	Laurens	8,500
Clarendon	9,000	Lee	9,000
Colleton	7,500	Lexington	7,000
Darlington	10,000	McCormick	7,000
Dillon	11,000	Marion	10,000

SOUTH CAROLINA—continued

County	Value	County	Value
Marlboro	\$11,000	Spartanburg	\$9,000
Newberry	8,000	Sumter	9,000
Oconee	8,500	Orangeburg	9,000
Pickens	8,500	Williams-	burg
Richland	8,000	burg	9,000
Saluda	8,500	York	8,500

Issued this 1st day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.[F. R. Doc. 46-13468; Filed, Aug. 2, 1946;
11:11 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 479, Special Permit 10]

REFRIGERATION OF CARS AT NEW ORLEANS, LA.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 479 (11 F. R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration for the following cars shipped August 1, by I. M. Young from Calverton and Southampton, Long Island, N. Y., to Q. M. Marketing Center, New Orleans, La., routed LI-PRR-IC:

FGE	37745	WFE	65705
FGE	35520	FGE	20014
FGE	50024	WFE	65278
WFE	67133	WFE	67869
NRC	7710	WFE	65812

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of August 1946.

V. C. CLINGER,
Director,
Bureau of Service.[F. R. Doc. 46-13494; Filed, Aug. 2, 1946;
11:48 a. m.]

[S. O. 569]

UNLOADING OF ALUMINUM AT WICHITA, KANS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of August A. D. 1946.

It appearing, that car T&P 70489 containing sheet aluminum at Wichita, Kans., on the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee)

has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Aluminum at Wichita, Kans., be unloaded.* The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), its agents or employees, shall unload immediately car T&P 70489, containing sheet aluminum, now on hand at Wichita, Kans., consigned to Material Distributors, Inc.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.[F. R. Doc. 46-13496; Filed, Aug. 2, 1946;
11:48 a. m.]

FOREIGN-TRADE ZONES BOARD.

[Order 13]

BOARD OF COMMISSIONERS OF PORT OF NEW ORLEANS

APPLICATION FOR AUTHORITY TO CONDUCT TEMPORARY FOREIGN-TRADE ZONE OPERATIONS IN PART OF FOREIGN-TRADE ZONE NO. 2 DURING PRESENT EMERGENCY

Pursuant to the authority contained in the act of June 18, 1934 (48 Stat. 998; 19 U. S. C. 81-a-81-u), the Foreign-Trade Zones Board has adopted the following order which is promulgated for the information and guidance of all concerned:

The Navy Department having current necessity for the continued occupancy of a part of Foreign-Trade Zone No. 2 at New Orleans, Louisiana, the Board of Commissioners of the Port of New Orleans has requested that foreign-trade zone operations be suspended within that area during the period of Navy occupancy and that the zone area not in Navy use be designated as a temporary site where foreign-trade zone operations may

be carried on until the aforementioned area in Navy use is released.

Upon consideration, the Foreign-Trade Zones Board approves the request of the Board of Commissioners of the Port of New Orleans: *Provided*, This temporary zone area is extended to include all of Building "L" as shown on permanent Exhibit No. 10 (b) (11 F.R. 8236). *And provided further*, That the area including Building "L" be cleared of all activities, including private operators, and that this area and the structures thereon be segregated to comply with the requirements of the Collector of Customs of the Port of New Orleans. *And provided further*, That four (4) revised copies of Temporary Exhibit No. 10 (b) and four (4) copies of the description by metes and bounds of the temporary zone area, as revised, be filed with the Foreign-Trade Zones Board.

This order is effective July 31, 1946.

[SEAL] H. A. WALLACE,
Secretary of Commerce,
Chairman, Foreign-Trade Zones Board.

[F. R. Doc. 46-13421; Filed, Aug. 1, 1946;
2:19 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 5105]

HAND TOOLS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

SECTION 1. Purpose of this order. The purpose of this order is to permit all manufacturers specified percentage increases in their maximum prices established under Maximum Price Regulation No. 188 for the types of manually operated hand tools covered by this order. The order also provides methods by which wholesalers may determine their adjusted maximum prices for articles which a manufacturer sells at adjusted prices permitted by this order or by an order granting an individual manufacturer an adjustment of his maximum prices.

SEC. 2. Articles covered by this order. This order covers the manually operated types of hand tools which are listed in section 3 of this order for which manufacturers' prices are subject to Maximum Price Regulation No. 188. The list of articles in section 3 will be added to from time to time as the increases in manufacturers' prices which can be authorized are determined. At such times, corresponding amendments will be made to section 4 to provide for wholesalers' adjusted prices. This order does not apply to such tools as are covered by RMPR No. 136 or MPR No. 246.

SEC. 3. Adjustment of manufacturers' maximum prices. (a) Manufacturers shall continue to determine their maximum prices for the articles covered by this order under the applicable provisions of Maximum Price Regulation No. 188.

(b) **Authorized increases.** Manufacturers may increase their maximum prices (exclusive of any permitted increases) properly established under Maximum Price Regulation No. 188 or the comparable method of Order No. 4332 or Revised Order No. 4332 under that regulation for sales of each article of that type to each class of purchasers, by the percentage set forth below opposite each type of article.

Articles	Percentage increases in manufacturers' maximum prices
Steel and iron shovels, spades and scoops	14
Farm and garden tools including all types of forks, hoes, rakes, weeder, wheeled and hand cultivators and attachments and post hole diggers and augers	10
Cement workers', bricklayers', tile setters', mason's and plasterers' tools including all types of trowels, jointers, joint fillers, mitre rods, hods, floats, cement edgers, tile markers and hawks	10
Mechanics' hand service tools including auto mechanics' tools, chisels, nonprecision dividers and calipers, caulking tools, mechanics' hammers, pliers, punches, screw drivers, metal cutting snips and shears, wrenches and spanners including sockets and drivers, nail sets and pullers, metal tool cases and tool kits	5
Hand cutting tools including auger bits, woodworking drill points and bits used in hand braces and drills, hand braces and drills, wood boring tools, hand star drills, and saws including saw frames	17.3
Heavy forged tools and mining tools including picks, mattocks, hoes (heavy I type), bars, sledges, wedges, hammers, mauls, railroad track tools, blacksmith anvil tools, tongs, punches, bull points, and drift pins	10

SEC. 4. Wholesalers' adjusted maximum prices. (a) Resellers at wholesale of an article which the manufacturer has sold at an adjusted ceiling price determined under this order and for which the reseller has a properly established maximum price prior to June 30, 1946, may increase that maximum price to each class of purchaser by the same percentage as that set forth in section 3 (b) opposite the appropriate type of article described in that section.

(b) A reseller at wholesale of an article which a manufacturer sells at an adjusted maximum price permitted under an individual adjustment order or for which the seller does not have a properly established maximum price prior to August 1, 1946, shall determine his maximum price by adding to his invoice cost the same percentage mark-up which he has on the most comparable article for which he has determined his adjusted maximum price under paragraph (a) above. For this purpose the most comparable article is the one which meets all the following tests:

(1) It belongs to the same group of articles set forth in paragraph (a) above which covers articles being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a maximum price in this way need not be reported to the

Office of Price Administration; however, each seller must keep complete records showing all the information called by OPA Form 620-759 with regard to how he determined his maximum price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(c) If the maximum resale price cannot be determined under the above methods the reseller shall apply to the Office of Price Administration for the establishment of a maximum price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

SEC. 5. Terms of sale. Maximum prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

SEC. 6. Notification. At the time of, or prior to, the first invoice to a purchaser for resale at wholesale, the manufacturer or any other seller shall notify the purchaser in writing of the methods established in section 4 for determining adjusted maximum prices for resales of articles covered by this order. Manufacturers shall state whether their prices have been adjusted under this order or under an individual adjustment provision. These notices may be given in any convenient form.

SEC. 7. Relationship of this order to Maximum Price Regulation 188 and the General Maximum Price Regulation. The provisions of this order supersede the provisions of Maximum Price Regulation No. 188 and the General Maximum Price Regulation only to the extent that they are inconsistent with the provisions of those regulations.

SEC. 8. Revocation of certain maximum prices. Regardless of any provisions of any order issued under Maximum Price Regulation 188, Supplementary Orders 118, 133, 148 or Revised Supplementary Order 119 affecting all resellers' maximum prices, the provisions of all such orders shall not apply to sales at wholesale of any article covered by this order. Resellers' ceiling prices for sales at wholesale of all such articles shall be determined in accordance with the provisions of this order.

SEC. 9. Definitions. Unless otherwise required by the context of this order, all terms shall have the same meanings as provided by MPR 188 or the GMPR, whichever is applicable, except that a sale to an industrial or commercial user by a person or department who sells principally to individual ultimate consumers shall not be a sale at wholesale within the meaning of this order.

This order shall become effective on the 1st day of August 1946.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13432; Filed, Aug. 1, 1946;
4:39 p. m.]

FEDERAL REGISTER, Saturday, August 3, 1946

[Rev. SO 119, Rev. Order 30]

NEW ENGLAND BEDDING CO.

ADJUSTMENT OF CEILING PRICES

Order No. 30 under Revised Supplementary Order No. 119 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* The New England Bedding Company, 50 Amaranth Avenue, Medford, Mass., may compute its adjusted ceiling prices for all articles of metal outdoor furniture which it manufactures, as follows:

(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 25 percent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this revised order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this revised order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Resellers' ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this revised order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580 and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 590, shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a selling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 8 under § 1499.159e of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling prices under that regulation as modified by Order No. 8 under § 1499.159e.

If his supplier's invoice does not state an "unadjusted maximum price," the reseller shall calculate his ceiling price by adding to his invoice cost the same percentage markup which he had on the "most comparable article" for which he has a properly established ceiling price. For this purpose, the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this revised order.

(3) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this revised order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this revised order, showing prices adjusted in accordance with this revised order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this revised order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this revised order are hereby denied.

(f) This revised order may be revoked or amended by the Price Administrator at any time.

(g) This revised order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13409; Filed, Aug. 1, 1946;
11:51 a. m.]

[Rev. SO 119, Rev. Order 75]

M. BLOCK AND SONS

ADJUSTMENT OF CEILING PRICES

Order No. 75 under Revised Supplementary Order No. 119 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* M. Block and Sons, 2511-21 Calumet Avenue, Chicago, Ill. may compute its adjusted ceiling prices for all articles of metal household cabinets which it manufactures as follows:

(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 25 percent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this revised order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this revised order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Resellers' ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this revised order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580 and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 590, shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a selling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 8 under § 1499.159e of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling prices under that regulation as modified by Order No. 8 under § 1499.159e.

If his supplier's invoice does not state an "unadjusted maximum price", the reseller shall calculate his ceiling price by adding to his invoice cost the same per-

centage mark-up which he had on the "most comparable article" for which he has a properly established ceiling price. For this purpose, the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this revised order.

(3) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this revised order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale on and after the effective date of this revised order, showing prices adjusted in accordance with this revised order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this revised order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this revised order are hereby denied.

(f) This revised order may be revoked or amended by the Price Administrator at any time.

(g) This revised order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13410; Filed, Aug. 1, 1946;
11:54 a. m.]

No. 151—4

[Rev. SO 119, Amdt. 1 to Order 159]

HERRING-HALL MARVIN SAFE CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119; *It is ordered:*

a. Order No. 159 under sections 15 and 16 of Revised Supplementary Order No. 119 is amended in the following respects:

1. Section (a) is amended to read as follows:

(a) *Manufacturer's ceiling prices.* Herring-Hall Marvin Safe Co. of 1550 Grand Boulevard, Hamilton, Ohio, may compute its adjusted ceiling prices for sales of safes and vaults which it manufactures as follows:

(1) For an article in its line during October 1941, the adjusted ceiling prices are the highest prices charged during that month to each class of purchaser increased by 26.41 per cent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13411; Filed, Aug. 1, 1946;
11:51 a. m.]

[Rev. SO 119, Order 311]

KURTZ BROS., INC.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, *It is ordered:*

(a) *Manufacturer's ceiling prices.* Kurtz Brothers, Inc., 1st Avenue and W. Union Boulevard, Bethlehem, Pennsylvania, may compute its adjusted ceiling

prices for its sales of the wood office desks which it manufactures, as follows:

(1) For an article which has a properly established ceiling price in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by 33.3 per cent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Resellers' ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

A person who resells the wood office desks covered by this order shall calculate his ceiling prices by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is one which meets all of the following tests:

(1) It belongs to the narrowest trade category which includes the article being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter,

properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) The provisions of Supplementary Order No. 153 shall not apply to sales covered by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13413; Filed, Aug. 1, 1946;
11:52 a. m.]

[SO 133, Order 63]

NORTHERN CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* Northern Chair Company, Cadillac, Michigan, may increase its maximum prices properly established under Maximum Price Regulation No. 188, (exclusive of any adjustment charges) for Dining and Living Room Chairs, which it manufactures, by 9.9 per cent of each such maximum prices.

(b) *Resellers' ceiling prices.* Resellers of articles which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580 and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 590, shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a selling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling price under that regulation as modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

If his supplier's invoice does not state an "unadjusted maximum price," the reseller shall calculate his ceiling prices by adding to his invoice cost the same per-

centage markup which he had on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form No. 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(3) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or, thereafter, properly established under Office of Price Administration regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) The manufacturer shall file the report described in section 5 of Supplementary Order No. 133 with the Office of Price Administration, Washington 25, D. C., and shall comply with the invoicing and reporting provisions of Order No. 4800 under Maximum Price Regulation No. 188.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13414; Filed, Aug. 1, 1946;
11:54 a. m.]

[SO 142, Order 192]

BURNDY ENGINEERING CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 192 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. Burndy Engineering Company, Inc. Docket No. 6083-SO 142-136-818.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142, *It is ordered:*

(a) The maximum prices for sales by Burndy Engineering Company, Inc., New York, New York, of all its products, which are covered by any of the regulations listed in Supplementary Order No. 142, shall be determined by increasing by 21.8% the maximum prices for these products in effect on June 30, 1946.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the same percentage by which his net invoiced cost has been increased by reason of this order.

(c) The Burndy Engineering Company, Inc., shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage amount by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 2, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13415; Filed, Aug. 1, 1946;
11:53 a. m.]

[SO 148, Order 32]

EAGLE WOODENWARE MFG. CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 5 of Supplementary Order No. 148, it is ordered:

(a) *Manufacturer's ceiling prices.* The Eagle Woodenware Manufacturing Company, of Hamilton, Ohio, may increase its ceiling prices to each class of purchaser as established by Maximum Price Regulation No. 188 for the articles listed below by the applicable percentage listed below:

Article	Percentage by which ceiling price may be increased
Victory Eagle mop wringer, 14 qt. size	19
Victory Eagle mop wringer, 22 qt. size	9

As used in this paragraph "ceiling prices as established under Maximum Price Regulation No. 188", shall mean the ceiling prices established under that regulation without the inclusion in these ceiling prices either directly or indirectly of any adjustment, either individual or industry-wide.

(b) *Ceiling prices of purchasers for resale.* (1) A purchaser for resale, who had an established ceiling price prior to the effective date of this order for any article, whose manufacturer's ceiling price was adjusted in accordance with the provisions of this order, may increase that established ceiling price by the same percentage as the manufacturer is authorized to increase his ceiling price by paragraph (a) of this order.

(2) A purchaser for resale who had no established ceiling price prior to the effective date of this order for any article whose ceiling price is subject to this order, shall determine his ceiling price by adding to his invoice cost the same percentage which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is one which meets all the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration, however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling prices, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the resale ceiling price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted ceiling prices for resales of the articles. This notice may be given in any convenient form.

(e) All requests contained in the application for price adjustment filed by The Eagle Woodenware Manufacturing Company, assigned OPA Docket No. 6069-SO 148-70c, not specifically granted by this order are hereby denied.

(f) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery of any article subject to this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13416; Filed, Aug. 1, 1946;
11:51 a. m.]

[MPR 120, Amdt. 30 to Order 1548]

ELBA COAL CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended by deleting from paragraph (a) the words "Elba Coal Co. Plant one mile northeast of Beccaria, Pa." and inserting therein "Elba Coal Co. #2 Preparation Plant at Banion Junction, Pa., on the P. R. R."; and it is further amended by adding thereto the following in the manner indicated:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Elba Coal Co., Inc., Box 328, Madera, Pa.	Elba No. 3	272	Elba Coal Co., No. 2 Preparation Plant at Banion Junction, Pa., on the P. R. R.

This Amendment No. 30 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective August 2, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13394; Filed, Aug. 1, 1946;
11:52 a. m.]

[MPR 120, Amdt. 31 to Order 1548]

FRANKLIN HILLS MINING CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended in the following respects.

1. Paragraph (a) is amended by adding thereto the following name of the producer, address, mine name and index number, and preparation plant name, as follows:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Franklin Hills Mining Co., c/o A. K. Althouse & Co., Colonial Bldg., Philadelphia, Pa.	Franklin Hills No. 1.	5592	Victory Preparation Plant, at Morrison, Md., on the C. & P.

2. Paragraph (a) is further amended by deleting therefrom the following name of the producer, address, mine name and index number, and preparation plant name, as follows:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Russell Mining Co., c/o A. W. Althouse & Co., Colonial Bldg., Philadelphia, Pa.	Martin No. 3.	1311	Russell Mining Co., Plant at Midland, Md.

This Amendment No. 31 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective August 2, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13395; Filed, Aug. 1, 1946;
11:53 a. m.]

[MPR 188, Order 153 Under 2d Rev. Order A-3]

SHELBYVILLE DESK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Shelbyville Desk Company, Shelbyville, Indiana, may increase its current maximum prices for sales of the office furniture which it manufactures, by 8.19 percent of each such maximum prices.

(b) *Maximum prices of purchasers for resale.* A reseller shall calculate his ceiling prices by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances and other price differentials in effect during the base period, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

The provisions of Supplementary Order No. 153 shall not apply to resale prices of articles covered by this order.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13406; Filed, Aug. 1, 1946;
11:52 a. m.]

[MPR 188, Order 154 Under 2d Rev. Order A-3]

LOCKHART MFG. CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturers' ceiling prices.* The Lockhart Manufacturing Company, 816 North Canal Street, Pittsburgh, Pennsylvania, may increase the ceiling prices to each class of purchaser in effect immediately prior to the effective date of this order for the articles of its manufacture listed below by the amounts indicated as applicable to those articles in the Table of Increases set forth below:

TABLE OF INCREASES

[Dollar and cents amount by which ceiling price to each class of purchaser may be increased]

Article:	Per dozen
32 lb. warehouse broom	\$2.16
36 lb. warehouse broom	1.63

(b) *Ceiling prices of purchasers for resale.* (1) A purchaser for resale, who had an established ceiling price prior to the effective date of this order for any article, whose manufacturer's ceiling price was adjusted in accordance with the provisions of this order, may increase that ceiling price by the applicable percentage listed below:

[Percentage by which heretofore existing ceiling price may be increased]

Article:	
32 lb. warehouse broom	25
36 lb. warehouse broom	16.5

(2) A purchaser for resale who had no established ceiling price prior to the effective date of this order for any article whose ceiling price is subject to this order, shall determine his ceiling price by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is one which meets all the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration, however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the resale ceiling price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each

seller's terms, discounts and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted ceiling prices for resales of the articles. This notice may be given in any convenient form.

(e) All requests contained in the application for price adjustment filed by Lockhart Manufacturing Company, 216 North Canal Street, Pittsburgh, Pennsylvania, assigned OPA Docket No. 6069-A-3(12)-5c, not specifically granted by this order are hereby denied.

(f) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery of any article subject to this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13407; Filed, Aug. 1, 1946;
11:50 a. m.]

[MPR 120, Order 1702]

COMPTON COAL CO. ET. AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those es-

tablished for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

COMPTON COAL CO., 404 WEST MAHONING ST., PUNXSUTAWNEY, PA., COMPTON NO. 2 MINE, B SEAM, MINE INDEX NO. 5308, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT, SPRANKLES MILLS, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

DUGAN COAL MINING CO., OSCEOLA MILLS, PA., DUSHAN NO. 5 MINE, E SEAM, MINE INDEX NO. 5761, CAMBRIA COUNTY, PA., SUBDISTRICT 18, RAIL SHIPPING POINT, BLANDSBURG, PA., STRIP MINE

Price Classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

DUNLO COAL CO., INC., 1300 GRAHAM AVE., WINDBER, PA., TROY NO. 9-C MINE, C' SEAM, MINE INDEX NO. 5768, CAMBRIA COUNTY, PA., SUBDISTRICT 33, RAIL SHIPPING POINT, SCALP LEVEL, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipments	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

ESGRO COAL CO., CARROLLTOWN, PA., ESGRO COAL CO. MINE, D SEAM, MINE INDEX NO. 5811, CAMBRIA COUNTY, PA., SUBDISTRICT 17, RAIL SHIPPING POINT, ST. BENEDICT, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	447	427	427	407	407
Railroad locomotive fuel	412	412	397	387	387
Truck shipment	457	432	432	422	412

EXETER COAL CO., 722 WASHINGTON ST., CUMBERLAND, MD., EXETER MINE, BIG VEIN SEAM, MINE INDEX NO. 5807, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, LONACONING, MD., DEEP MINE

Price classification	D	D	D	D	D
For all methods of transportation and for all uses	502	482	482	467	467

EXETER COAL CO., 722 WASHINGTON ST., CUMBERLAND, MD., PRESTON STRIP MINE, BIG VEIN SEAM, MINE INDEX NO. 5804, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, LONACONING, MD., STRIP MINE

Price classification	D	D	D	D	D
For all methods of transportation and for all uses	405	385	385	370	370

FEDERAL HILL MINING CO., INC., 722 WASHINGTON ST., CUMBERLAND, MD., MARCUS MINE, TYSON SEAM, MINE INDEX NO. 5807, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, BORDEN AND/OR SAVAGE, MD., DEEP MINE

Price classification	E	E	E	E	E
For all methods of transportation and for all uses	502	482	482	467	467

FEDERAL HILL MINING CO., INC., 722 WASHINGTON ST., CUMBERLAND, MD., FEDERAL HILL STRIP MINE, TYSON SEAM, MINE INDEX NO. 5808, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, BORDEN AND/OR SAVAGE, MD., STRIP MINE

Price classification	E	E	E	E	E
For all methods of transportation and for all uses	405	385	385	370	370

This order shall become effective August 2, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13396; Filed, Aug. 1, 1946;
11:52 a. m.]

[MPR 188, Order 155 Under 2d Rev.
Order A-3]

STRATTON BROOM CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturers' ceiling prices.* The Stratton Broom Company, Indianapolis, Indiana, may increase the ceiling prices to each class of purchaser in effect immediately prior to the effective date of this order for the articles of its manufacture listed below by the amounts indicated as applicable to those articles in the Table of Increases set forth below:

TABLE OF INCREASES

Article	Model No.	Dollar and cents amount by which ceiling price to each class of purchaser may be increased
34-35 lbs. industrial broom, steel king	6	\$0.65
34-35 lbs. industrial broom, clinch band	12	.88
34-35 lbs. industrial broom, double tip		1.12

(b) *Ceiling prices of purchasers for resale.* (1) A purchaser for resale, who had an established ceiling price prior to the effective date of this order for any article, whose manufacturer's ceiling price was adjusted in accordance with the provisions of this order, may increase that ceiling price by the applicable percentage listed below:

Article	Model No.	Percentage by which heretofore existing ceiling price may be increased
34-35 lbs. industrial brooms, steel king	6	8.5
34-35 lbs. industrial broom, clinch band	12	10.8
34-35 lbs. industrial broom, double tip		11.3

(2) A purchaser for resale who had no established ceiling price prior to the effective date of this order for any article whose ceiling price is subject to this order, shall determine his ceiling price by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is one which meets all the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration, however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the resale ceiling price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted ceiling prices for resales of the articles. This notice may be given in any convenient form.

(e) All requests contained in the application for price adjustment filed by Stratton Broom Company, assigned OPA Docket No. 6069-A-3 (12)-11C, not specifically granted by this order are hereby denied.

(f) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery of any article subject to this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13408; Filed, Aug. 1, 1946;
11:50 a. m.]

[MPR 188, Order 5093]

YORK CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register

FEDERAL REGISTER, Saturday, August 3, 1946

and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 64 of Second Revised Supplementary Regulation 14, *It is ordered:*

(a) This order establishes maximum prices for sales of the six models of portable air conditioners manufactured by the York Corporation, York, Pa.

(1) Maximum prices for sales by the York Corporation to wholesale distributors of the six models of portable air conditioners listed below are as follows:

Maximum Prices for Sales to Wholesale Distributors

Model:	Each
1-1, 1-2	\$201.44
2-1, 2-2	215.43
3-1, 3-2	259.52

These ceiling prices include the Federal excise tax and are f. o. b. factory. They are for air conditioners equipped for use with 60 cycle alternating current. They are subject to the addition of the amounts set forth below if the air conditioners are sold equipped as described below:

Optional equipment for use with—	Amount which may be added		
	61-C models	76-C models	91-C models
Direct current	\$12.80	\$16.00	\$17.62
50/60 cycle alternating current	1.47	2.26	2.26
Water for cooling			14.35

In all other respects these ceiling prices are subject to terms, discounts, allowances and other price differentials no less favorable than those the York Corporation had in effect during March 1942 on sales of similar articles.

(2) Maximum prices for sales in each zone by wholesale distributors to retail dealers of the six models of portable air conditioners listed below are as follows:

Model	Maximum prices for sales to retail dealers in Zone 1	
	Servicing dealers	Non-servicing dealers
1-1	\$245.66	\$255.66
1-2		
2-1	265.96	275.96
2-2		
3-1	324.40	334.40
3-2		

Distributors located in any other zone shall determine their ceiling prices by adding to the ceiling prices set forth above an amount no greater than that shown below opposite the particular zone in which the distributor is located, as freight.

Zone:	Amount which may be added by distributor
2	\$3.00
3	4.50
4	6.00
5	8.00

These ceiling prices include the Federal excise tax and are delivered. The prices are for the air conditioners equipped for use with the 60 cycle alternating current and are subject to the addition of the amounts set forth below if the air condi-

tions are sold equipped as described below:

Optional equipment for use with—	Amount which may be added		
	61-C models	76-C models	91-C models
Direct current	\$15.61	\$19.75	\$22.03
50/60 cycle alternating current	1.79	2.79	2.79
Water for cooling			17.94

In all other respects these ceiling prices are subject to terms, discounts, allowances, and other price differentials no less favorable than those the same seller had in effect during March 1942. If the seller made no sales in March 1942 these ceiling prices are subject to terms, discounts, allowances and other price differentials no less favorable than those of his closest seller of the same class during the same period on sales of similar articles or which were thereafter properly established under the applicable OPA regulations.

(3) Maximum prices for sales by retail dealers to ultimate consumers of the six models of portable air conditioners listed below are as follows:

Model:	Maximum prices for sales to ultimate consumers in Zone 1		
	1-1, 1-2	2-1, 2-2	3-1, 3-2
1-1, 1-2	\$349.50		
2-1, 2-2		399.50	
3-1, 3-2			499.50

Dealers located in any other zone shall determine their ceiling prices by adding to the ceiling prices set forth above an amount no greater than that shown below opposite the particular zone in which the dealer is located.

Zone:	Amount which may be added in each zone		
	2	3	4
2	\$15.00		
3		16.50	
4			18.00
5			20.00

These ceiling prices include the Federal excise tax, delivery, installation to facilities which are to be provided by the consumer and a one year warranty. The prices are for the air conditioners equipped with 60 cycle alternating current and are subject to the addition of the amounts set forth below if the air conditioners are sold equipped at the request of the purchaser as described below.

Optional equipment for use with—	Amount which may be added		
	61-C models	76-C models	91-C models
Direct current	\$22.50	\$29.75	\$34.00
50/60 cycle alternating current	2.50	4.00	4.00
Water for cooling			27.50

In all other respects these ceiling prices are subject to terms, discounts, allowances, and other price differentials no less favorable than those the same seller had in effect during March 1942. If the seller made no such sales during 1942, these ceiling prices are subject to terms, discounts, allowances, and other

price differentials no less favorable than those of his closest competitive seller of the same class during the same period on sales of similar articles or which were thereafter properly established under the applicable OPA regulations.

(b) For purposes of this order Zones 1, 2, 3, 4 and 5 are comprised as follows:

Zone 1. The factory at York, Pennsylvania.

Zone 2. Pennsylvania, New York, Maryland, West Virginia, New Jersey, Delaware, Ohio and the District of Columbia.

Zone 3. Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Virginia, Kentucky, Indiana, Michigan, Tennessee, North Carolina, Illinois and Wisconsin.

Zone 4. South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Iowa, Kansas, Missouri, North Dakota, South Dakota, Nebraska and Minnesota.

Zone 5. Washington, Oregon, Idaho, Nevada, California, Arizona, Utah, New Mexico, Colorado, Wyoming, Montana and Texas.

(c) The York Corporation shall cause to be attached to each air conditioner covered by this order in a place where it can readily be seen an "OPA Retail Ceiling Price Label" containing the OPA retail ceiling price in each zone together with a list of the states in each zone, the manufacturer's name, the model designation of the machine, a statement that the retail ceiling prices shown include delivery and installation to facilities which are to be provided by the purchaser, and a statement that the label may not be removed until after the machine is sold to a consumer.

(d) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale on or after the effective date of this order, the York Corporation shall notify him in writing of the ceiling prices established for resales by the purchaser. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13397; Filed, Aug. 1, 1946;
11:52 a. m.]

[MPR 188, Order 5094].

LARELEN LAMP CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Larelen Lamp Company, Inc., 1209 Wheeler Avenue, Bronx, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
20½" fine hand decorated china table lamp with hand-made metal base and rayon shade	606	Each \$23.38	Each \$27.50	Each \$49.50
26" gold and hand decorated worster china table lamp with hand-made metal base and rayon shade	604-H	23.19	27.28	49.10
25½" gold and hand decorated worster china table lamp with metal base and rayon shade	605-M	18.70	22.00	39.60
24" gold and hand decorated china table lamp with metal base and rayon shade	200	17.27	20.32	36.60
25" gold and hand decorated worster china table lamp with metal base and rayon shade	300	17.27	20.32	36.60
25" marble and gold decorated china table lamp with metal base and rayon shade	601	15.09	17.75	31.95
24" decorated china table lamp with metal base and rayon shade	100	12.75	15.00	27.00

These maximum prices are for the articles described in the manufacturer's application dated June 14, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Bronx, New York, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13398; Filed, Aug. 1, 1946;
11:47 a. m.]

[MPR 188, Order 5095]

LONGEVAL SHADE AND LAMP MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Longeval Shade and Lamp Manufacturing Company, 41-11 36th Street, Long Island City, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Antiqued and lacquered composition, mica and wood table lamps in amber, green or pearl finish:				
23"	103	Each \$5.62	Each \$6.61	Each \$11.90
25"	104	6.35	7.47	13.45
27"	105	7.27	8.55	15.40
30"	106	10.45	12.30	22.15

These maximum prices are for the articles described in the manufacturer's application dated June 14, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Long Island City, New York, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of

maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13399; Filed, Aug. 1, 1946;
11:47 a. m.]

[MPR 188, Order 5096]

REY-LITE MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Rey-Lite Manufacturing Company, Federal and Marshall Streets, Milton, Del.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sale by any person to consumers
		Jobbers	Retailers	
Hand decorated crystal glass, plastic and onyx boudoir lamps in various styles and sizes—	100	Each \$2.92	Each \$3.44	Each \$6.20
	100-A	2.80	3.20	5.90
	100-B	2.57	3.02	5.45
	200	3.21	3.78	6.80
	200-A	3.19	3.75	6.75
	300	1.49	1.75	3.15
	300-A	1.95	2.30	4.15
	400	3.00	3.53	6.35
	500	3.10	3.65	6.55

These maximum prices are for the articles described in the manufacturer's application dated May 4, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and

deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Milton, Delaware, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13400; Filed, Aug. 1, 1946;
11:48 a. m.]

[MPR 188, Order 5097]

MENCZERS LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Menczers Lamp Company, 148 Spring Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the

sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Polished Lucite boudoir lamps:				
7"	L 500	Each \$9.42	Each \$11.08	Each \$19.95
8"	L 1500	9.42	11.08	19.95
9"	L 1000	9.42	11.08	19.95

These maximum prices are for the articles described in the manufacturer's application dated June 11, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. New York City, New York, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13401; Filed, Aug. 1, 1946;
11:48 a. m.]

[MPR 188, Order 5098]

GAYDEN LAMPS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Gayden Lamps, Inc., 4101½ W. Harrison St., Chicago 24, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article and model No.	For sales by the manufacturer to—		For sales by any person to consumers
	Jobbers	Retailers	
Rayon checked taftets over fiber boudoir lamps with wood bases and ruching or ruffle trimmed matching taftets shades:			
M 1201	Each \$4.17	Each \$4.91	Each \$8.85
M 1202	4.25	5.00	9.00
M 1203	5.02	5.91	10.65

These maximum prices are for the articles described in the manufacturer's application dated June 18, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Chicago, Illinois, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for

sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13402; Filed, Aug. 1, 1946;
11:49 a. m.]

[MPR 188, Order 5099]

SEABOARD SALES & MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Seaboard Sales & Mfg. Company, 2343½ West 20th Street, Los Angeles 7, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article and model No.	For sales by the manufacturer to—		For sales by any person to consumers
	Jobbers	Retailers	
Plasticized two-ply muslin and sateen, hard and smooth finish, laminated lamp shades in various colors, shapes and sizes, all trimmed with leatherette binding:			
6¾"—00	Each \$0.50	Each \$0.59	Each \$1.05
8"—200	1.27	1.50	2.70
11"—400	2.12	2.50	4.50
13"—500	3.61	4.25	7.65
13"—600	3.27	3.85	6.95
20"—700	6.37	7.50	13.50

These maximum prices are for the articles described in the manufacturer's application dated May 20, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers, they are f. o. b. Los Angeles, California, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Wash-

ton, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13403; Filed, Aug. 1, 1946;
11:49 a. m.]

[MPR 188, Order 5100]

BURGET MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Burget Manufacturing Company, 263 East 2d Street, New York 9, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article and model No.	For sales by the manufacturer to—		For sales by any person to consumers
	Jobbers	Retailers	
22" plated metal table lamp with glass insert, metal base and taffeta ribbon-wrap shade, braid trimmed top and bottom: 2004 and 2004A—	Each \$4.25	Each \$5.00	Each \$9.00

These maximum prices are for the articles described in the manufacturer's application dated June 17, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those

sales and deliveries. For sales to persons other than consumers they are f. o. b. New York City 9, New York, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13404; Filed, Aug. 1, 1946;
11:49 a. m.]

[MPR 188, Order 5102]

COLUMBIA GLASS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Columbia Glass Company, 122 Fifth Avenue, New York 11, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

FEDERAL REGISTER, Saturday, August 3, 1946

Article and model No.	For sales by the manufacturer to—		For sales by any person to consumers
	Jobbers	Retailers	
Rock crystal cut type hurricane lamp: 2300-1-6	Per pair \$22.95	Per pair \$27.00	Per pair \$48.60
Crystal hurricane lamps on marble base: EL-10 and EL-6.	9.35	11.00	19.80

These maximum prices are for the articles described in the manufacturer's application dated May 9, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. New York, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number _____
OPA Retail Ceiling Price—\$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of August 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13405; Filed, Aug. 1, 1946;
11:50 a. m.]

[RMPR 97, Order 8]

SOUTHERN HARDWOOD LUMBER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That:

On sales of the items of Southern hardwood lumber listed below, the additions listed below may be made to the maximum prices shown in the designated price tables of RMPR 97, Southern Hardwood Lumber if, but only if, (1) the shipment is consigned to a hardwood flooring

mill, or (2) the hardwood flooring mill which will ultimately receive the shipment is named on the invoice.

On such sales, it shall not be a violation of this regulation to pay or receive, over and above maximum prices, any amounts which are paid or received pursuant to and in accordance with the Housing Expediter Premium Payments Regulations No. 6, Hardwood Flooring (Southern Area) and No. 7, Hardwood Flooring (Northern Area): *Provided*, That such amounts shall be shown separately on the invoice and identified as "OHE Bonus" payments.

SPECIAL ADDITIONS PERMITTED ONLY ON SALES FOR DIRECT-MILL SHIPMENT TO HARDWOOD FLOORING MILLS FOR USE IN PRODUCING FLOORING

Grades	Thicknesses	Species and tables	Temporary addition to base price
No. 2 Common	5/8"	Beech	
No. 2 Common and No. 3A Common	5/8"	Red Oak—Plain	(4)
		White Oak—Plain	(19)
		Beech	(21)
No. 2 Common and No. 3A Common	1", 1 1/4"	Red Oak—Plain	(4)
No. 2 Common and No. 3 Common	1", 1 1/4"	White Oak—Plain	(19)
		Pecan	(21)
			(22)
			4.00
			\$3.00

This order shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13425; Filed, Aug. 1, 1946;
4:37 p. m.]

[MPR 146, Order 1]

APPALACHIAN HARDWOOD LUMBER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered*, That:

On sales of the items of Appalachian hardwood lumber listed below, the addi-

tions listed below may be made to the maximum prices shown in the designated price tables of MPR 146, Appalachian Hardwood Lumber if, but only if, (1) the shipment is consigned to a hardwood flooring mill, or (2) the hardwood flooring mill which will ultimately receive the shipment is named on the invoice.

On such sales, it shall not be a violation of this regulation to pay or receive, over and above maximum prices, any amounts which are paid or received pursuant to and in accordance with the Housing Expediter Premium Payments Regulations No. 6, Hardwood Flooring (Southern Area) and No. 7, Hardwood Flooring (Northern Area): *Provided*, That such amounts shall be shown separately on the invoice and identified as "OHE Bonus" payments.

SPECIAL ADDITIONS PERMITTED ONLY ON SALES FOR DIRECT-MILL SHIPMENT TO HARDWOOD FLOORING MILLS FOR USE IN PRODUCING FLOORING

Grade	Thicknesses	Species and tables	Temporary addition to base price
No. 2 Common	5/8"	Beech	
		Red oak—plain	(3)
		White oak—plain WHAD	(15)
		Hard maple	(17)
			\$3.00
No. 2 Common and No. 3A Common	1", 1 1/4"	Birch	(4)
		Beech	(3)
		Red oak—plain	(15)
		White oak—plain WHAD	(17)
		Hard maple	(13)
			4.00

This order shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13426; Filed, Aug. 1, 1946;
4:37 p. m.]

[MPR 223, Order 1]

NORTHERN HARDWOOD LUMBER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That:

On sales of the items of Northern hardwood lumber listed below, the additions listed below may be made to the maximum prices shown in the designated price tables of MPR 223, Northern Hardwood Lumber if, but only if, (1) the shipment is consigned to a hardwood flooring mill, or (2) the hardwood flooring mill which will ultimately receive the shipment is named on the invoice.

On such sales, it shall not be a violation of this regulation to pay or receive, over and above maximum prices, any amounts which are paid or received pursuant to and in accordance with the Housing Expediter Premium Payments Regulations No. 6, Hardwood Flooring (Southern Area) and No. 7, Hardwood Flooring

(Northern Area): *Provided*, That such amounts shall be shown separately on the invoice and identified as "OHE Bonus" payments.

SPECIAL ADDITIONS PERMITTED ONLY ON SALES FOR DIRECT-MILL SHIPMENTS TO HARDWOOD FLOORING MILLS FOR USE IN PRODUCING FLOORING

Grades	Thicknesses	Species and tables	Temporary addition to base price
No. 2 Common	5/8"	Birch (4)	\$3.00
No. 2 Common and No. 3A Common and sound.	1"	{ Birch (4) (Hard Maple (7)) } 4.00	
No. 2 Common and No. 3A Common	1"	Beech (3)	4.00
No. 2 Common and No. 3A Common	1", 1 1/4"	Oak (9)	4.00

This order shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13434; Filed, Aug. 1, 1946;
4:37 p. m.]

[Rev. SO 119, Corr. to Order 271]

GREEN RIVER CHAIR CO.

ADJUSTMENT OF CEILING PRICES

In Order 271 under Revised Supplementary Order No. 119, the articles whose

SPECIAL ADDITIONS PERMITTED ONLY ON SALES FOR DIRECT-MILL SHIPMENT TO HARDWOOD FLOORING MILLS FOR USE IN PRODUCING FLOORING

Grades	Thicknesses	Species and tables	Temporary addition to base price
No. 2 Common and No. 3A Common	5/8"	Beech (3)	\$3
No. 2 Common	5/8"	Hard maple (10)	3
No. 2 Common and No. 3A Common	1"	Beech (3) Birch (4) Hard maple (10)	4
No. 2 Common and No. 3A Common	1", 1 1/4"	Oak (12)	4

This order shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13435; Filed, Aug. 1, 1946;
4:38 p. m.]

[MPR 188, Revocation of Order 4973]

SHOVELS, SPADES AND SCOOPS

INTERIM ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered*:

Order No. 4973 under Maximum Price Regulation No. 188 is hereby revoked subject to the provisions of Supplementary Order No. 40.

maximum prices were authorized to be adjusted were incorrectly described as finished wood chairs. The description of those articles is corrected to read "wood chairs."

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13412; Filed, Aug. 1, 1946;
11:50 a. m.]

[MPR 368, Order 3]

NORTHEASTERN HARDWOOD LUMBER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That:

On sales of the items of Northeastern hardwood lumber listed below, the additions listed below may be made to the maximum prices shown in the designated price tables of MPR 368, Northeastern Hardwood Lumber if, but only if, (1) the shipment is consigned to a hardwood flooring mill, or (2) the hardwood flooring mill which will ultimately receive the shipment is named on the invoice.

On such sales, it shall not be a violation of this regulation to pay or receive, over and above maximum prices, any amounts which are paid or received pursuant to and in accordance with the Housing Expediter Premium Payments Regulations No. 6, Hardwood Flooring (Southern Area) and No. 7, Hardwood Flooring (Northern Area): *Provided*, That such amounts shall be shown separately on the invoice and identified as "OHE Bonus" payments.

This revocation shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13429; Filed, Aug. 1, 1946;
4:38 p. m.]

[IMPR 188, Revocation of Order 4991]

HAND CUTTING TOOLS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*:

Order No. 4991 under Maximum Price Regulation No. 188 is hereby revoked subject to the provisions of Supplementary Order No. 40.

This revocation shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13430; Filed, Aug. 1, 1946;
4:39 p. m.]

[MPR 188, Revocation of Order 5041]

HEAVY FORGED TOOLS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered*:

Order No. 5041 under Maximum Price Regulation No. 188 is hereby revoked subject to the provisions of Supplementary Order No. 40.

This revocation shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13431; Filed, Aug. 1, 1946;
4:39 p. m.]

[MPR 155, Order 1]

CENTRAL HARDWOOD LUMBER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered*, That:

On sales of the items of Central hardwood lumber listed below, the additions listed below may be made to the maximum prices shown in the designated price tables of MPR 155, Central Hardwood Lumber if, but only if, (1) the shipment is consigned to a hardwood flooring mill, or (2) the hardwood flooring mill which will ultimately receive the shipment is named on the invoice.

[MPR 188, Revocation of Order 4990]

MECHANICS' HAND SERVICE TOOLS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered*:

Order No. 4990 under Maximum Price Regulation No. 188 is hereby revoked subject to the provisions of Supplementary Order No. 40.

On such sales, it shall not be a violation of this regulation to pay or receive, over and above maximum prices, any amounts which are paid or received pursuant to and in accordance with the Housing Expediter Premium Payments

Regulations No. 6, Hardwood Flooring (Southern Area) and No. 7, Hardwood Flooring (Northern Area): *Provided*, That such amounts shall be shown separately on the invoice, and identified as "OHE Bonus" payments.

SPECIAL ADDITIONS PERMITTED ONLY ON SALES FOR DIRECT-MILL SHIPMENT TO HARDWOOD FLOORING MILLS FOR USE IN PRODUCING FLOORING

Grades	Thicknesses	Species and tables	Regions	Temporary addition to base price
No. 2 Common	9/8"	Beech.....(3)	North Central.....	
		Beech.....(4)	South Central.....	
		Hard Maple.....(8)	North Central.....	
		Hard Maple.....(19)	South Central.....	
		Red Oak—Plain.....(11)	North Central.....	
		Red Oak—Plain.....(22)	South Central.....	\$3.00
		White Oak—Plain.....(13)	North Central.....	
		(White Oak—Plain.....(24)	South Central.....	
		Beech.....(3)	North Central.....	
		Beech.....(4)	South Central.....	
No. 2 Common and No. 3A Common.	1", 1 1/4"	Hard Maple.....(8)	North Central.....	
		Hard Maple.....(19)	South Central.....	
		Red Oak—Plain.....(11)	North Central.....	
		Red Oak—Plain.....(22)	South Central.....	
		White Oak—Plain.....(13)	North Central.....	
		(White Oak—Plain.....(24)	South Central.....	
				4.00

This order shall become effective August 1, 1946.

Issued this 1st day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13427; Filed, Aug. 1, 1946;
4:37 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register July 30, 1946.

Region IV

Columbia Order 8-F, Amendment 35, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 3:09 p. m.

Region VII

Albuquerque Order Revocation of Orders 8-F, 9-F, 10-F, 11-F, 12-F, 31-C, 38-O, 42, 43, 44, 45, 50-C, 51-C, and 52-C. Filed 3:09 p. m.

Boise Order 6-F, Amendments 9, 10 and 11, covering fresh fruits and vegetables in certain counties in Idaho. Filed 3:11 p. m.

Boise Order 6-F, Amendments 12 and 13, covering fresh fruits and vegetables in certain counties in Idaho. Filed 3:11 p. m.

Boise Order 7-F, Amendments 5, 6, and 7, covering fresh fruits and vegetables in certain counties in Idaho and Nyssa, Ontario, and Vale, Oregon. Filed 3:12 p. m.

Boise Order 7-F, Amendments 8 and 9, covering fresh fruits and vegetables in certain counties in Idaho and Nyssa, Ontario, and Vale, Oregon. Filed 3:13 and 3:13 p. m.

Boise Order 49, Amendments 1, 2, and 3, covering dry groceries in the Boise City area. Filed 3:13 p. m.

Boise Order 50, Amendments 1, 2, and 3, covering dry groceries in the Boise Valley Loop, Mountain Home, Idaho and Ontario, Oregon areas. Filed 3:13 p. m.

Boise Order 51, Amendments 1, 2, and 3, covering dry groceries in certain areas in Idaho. Filed 3:13 p. m.

Boise Order 52, Amendments 1, 2, and 3, covering dry groceries in certain areas in Idaho. Filed 3:14 p. m.

Boise Order 23-W, Amendments 1, 2, and 3, covering dry groceries in the Boise City area. Filed 3:13 p. m.

Boise Order 24-W, Amendments 1, 2, and 3, covering dry groceries in certain areas in Idaho. Filed 3:14 p. m.

Region VIII

Portland Order 33, Amendment 11, covering dry groceries. Filed 3:10 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-13326; Filed, July 31, 1946;
3:59 p. m.]

[Newark Order G-3 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN NEW JERSEY

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8(a)(7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. What this order does. This order establishes the freight allowance from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices for certain fresh fruits and vegetables at the wholesale receiving points subsequently set forth in section 2.

SECTION 2. Where this order applies. This order applies in the Counties of Camden, Burlington, Atlantic, Cape May, Gloucester, Salem, Cumberland, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Warren and Somerset, New Jersey.

SECTION 3. Determination of the amount of freight allowed in establishing maximum ceiling price. The freight allow-

ance from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the items covered by this regulation at all wholesale receiving points in the area described above, and in the markets they serve, shall be the amounts set forth in the Appendices hereunto annexed.¹

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

The freight allowance from basing point to the Cities of New York, New York; Newark, New Jersey; Philadelphia, Pennsylvania, and then to all wholesale receiving points in the counties where this order applies, is herein-after set forth in Appendix A.¹

The freight allowance from basing point to the Cities of New York, New York; Newark, New Jersey; Philadelphia, Pennsylvania, is herein-after set forth in Appendix B.¹

SEC. 4. Revocation. Trenton District Order G-3 under Maximum Price Regulation 426, section 8(a)(7), issued August 29, 1945; and Camden District Order G-1 under Maximum Price Regulation 426, section 8(a)(7), issued September 21, 1945, are hereby revoked.

SEC. 5. Effective date. This order shall become effective at 12:01 a. m. on the 17th day of June 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-13330; Filed, July 31, 1946;
4:00 p. m.]

[Wichita Order 2 Under Gen. Order 68]

BUILDING MATERIALS IN WICHITA, KANS., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, it is hereby ordered:

SECTION 1. What this order does. This order establishes maximum prices for all retail sales of certain building materials specifically described in Appendix A of this order, when such sales are made in Harvey, McPherson, Marion, Dickinson, Saline, Ellsworth and Lincoln Counties in the State of Kansas.

SECTION II. Definition of retail sales. The term "retail sale", as used in this order, means any sale of the building materials covered by this order to an ultimate user or to a contractor who will resell the same on an installed basis.

SECTION III. Maximum prices. Maximum prices for commodities subject to this order are those set forth in Appendix A, which is specifically made a part of this order, subject to the terms and conditions of sale and other limitations set forth therein.

SECTION IV. The relation of this order to other regulations. The maximum prices fixed by this order supersede any maxi-

¹ Filed as part of original document.

mum prices or price determining methods previously established by any other regulation or order issued by the Office of Price Administration for the commodities covered by this order.

SEC. V. Posting. Each seller making sales subject to this order shall post a copy of Appendix A of this order plainly visible to all purchasers in each of his places of business located in the area covered by this order.

SEC. VI. Invoices and notification. Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order, showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description and quantity of each item sold and the price charged.
- (5) Any additional charges for delivery.

SEC. VII. Addition of increase in suppliers' prices prohibited. The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in suppliers' maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the District Director.

SEC. VIII. What this order prohibits. Regardless of any obligation no person shall:

(1) Sell, or in the course of trade or business buy, building materials at higher prices than the maximum prices set by this order; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by:

(i) Making a charge for delivery of building material items delivered within the free delivery zone hereinafter defined;

(ii) Making a charge for delivery outside the free delivery zone in excess of that permitted by this order;

(iii) Making a charge higher than this order authorizes for the extension of credit;

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the building materials requested by him; or

(v) Using any other device by which a higher than maximum price is obtained directly or indirectly.

SEC. IX. Enforcement. (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Wichita, Kansas District Office of the Office of Price Administration.

SEC. X. Building materials not covered by this order. There are building materials sold and delivered in the area covered by this order which are not included

in, and for which prices are not established in this order. The maximum prices for such building materials when sold by any person covered by this order, shall continue to be determined under the applicable maximum price regulation. Sellers who are in doubt as to the regulation applicable to such building materials should consult the Wichita, Kansas, District Office of the Office of Price Administration.

This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective on the tenth day of July, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Wichita, Kansas this 25th day of June 1946.

H. O. DAVIS,
District Director.

[F. R. Doc. 46-13829; Filed, July 31, 1946;
3:59 p. m.]

[Little Rock Order 8 Under Gen. Order 68]

BUILDING MATERIALS IN PHILLIPS AND LEE COUNTIES, ARK.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, it is hereby ordered:

SECTION I. What this order does. This order establishes maximum prices for all retail sales of certain building materials specifically described in Appendix A of this order when such sales are made in the geographical area comprising Phillips and Lee Counties, Arkansas.

SECTION II. Definition of retail sale. The term "retail sale" as used in this order means any sale of the building materials covered by this order to an ultimate user or to a contractor who will resell the same on an installed basis.

SECTION III. Maximum prices. Maximum prices for commodities subject to this order are those set forth in Appendix A, which is specifically made a part of this order,¹ subject to the terms and conditions of sale and other limitations set forth therein.

SECTION IV. The relation of this order to other regulations. The maximum prices fixed by this order supersede any maximum prices or price determining method previously established by any other regulation or order issued by the Office of Price Administration for the commodities covered by this order.

SECTION V. Each seller making sales subject to this order shall post a copy of Appendix A of this order plainly visible to all purchasers in each of his places of business located in the area covered by this order.

SECTION VI. Invoices and notification. Each seller making sales subject to this order shall make available to such pur-

chaser a copy of this order. Each seller covered by this order is required to furnish each purchaser on every sale of \$15.00 or more with an invoice which must contain the following information:

1. Name and address of the purchaser.
2. A description of each commodity sold.
3. The quantity of each commodity sold.
4. The price charged for each commodity sold.

5. The type of sale, whether f. o. b. railroad car, f. o. b. seller's yard or store, delivered to job site in free delivery zone, or delivered outside free delivery zone.

6. If delivery is made outside the seller's free delivery zone, the amount of any delivery charges made stated separately on the invoice.

7. A statement of cash discounts allowed for prompt payment.

8. A separate statement of any amount added for the extension of credit.

Each seller is required to keep a duplicate of such invoice in his place of business, and make it available for inspection by the Office of Price Administration during regular business hours.

SECTION VII. Addition of increase in supplier's prices prohibited. The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the District Director.

SECTION VIII. What this order prohibits. Regardless of any obligation no person shall:

1. Sell, or in the course of trade or business buy, building materials at higher prices than the maximum prices set by this order; but less than the maximum prices may at any time be charged, paid or offered.

2. Obtain higher than maximum prices by:

(i) Making a charge for delivery of building material items delivered within the free delivery zone hereinafter defined;

(ii) Making a charge for delivery outside the free delivery zone in excess of that permitted by this order;

(iii) Making a charge higher than this order authorizes for the extension of credit;

(iv) Failure to give the discounts required by this order for prompt payment;

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the building materials requested by him; or

(vi) Using any other device by which a higher than maximum price is obtained directly or indirectly.

SECTION IX. Enforcement. 1. Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

2. Persons who have any evidence of any violation of this order are urged to communicate with the Little Rock District Office of the Office of Price Administration.

¹ Filed as part of original document.

SEC. X. Building materials not covered by this order. There are building materials sold and delivered in the area covered by this order which are not included in, and for which prices are not established in this order. The maximum prices for such building materials, when sold by any person covered by this order, shall continue to be determined under the applicable maximum price regulation. Sellers who are in doubt as to the regulation applicable to such building materials should consult the Little Rock District Office of the Office of Price Administration.

This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 1, 1946.

(56 Stat. 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Little Rock, Arkansas, this 28th day of June 1946.

ROBERT P. HALL,
District Director.

[F. R. Doc. 46-13329; Filed, July 31, 1946;
4:00 p. m.]

[Springfield Order G-2 Under Gen. Order 68,
Corr. to Amdt. 1]

HARD BUILDING MATERIALS IN DECATUR, ILL.,
AREA

An amendment to Order No. G-2 under General Order No. 68 was issued June 4, 1946, effective June 19, 1946, designated as "Amendment No. 1." Prior thereto, Amendment No. 1 had been issued. This correction is issued to designate the amendment issued June 4, 1946, as "Amendment No. 2."

This correction becomes effective June 28, 1946.

Issued this 28th day of June 1946.

GEORGE C. BOSEN,
Acting District Director.

[F. R. Doc. 46-13327; Filed, July 31, 1946;
3:59 p. m.]

[Newark Adopting Order 6 Under Basic Order
1 Under Gen. Order 68, Amdt. 1]

BUILDING MATERIALS IN NEWARK, N. J.,
DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office, *It is hereby ordered:*

1. Adopting Order No. 6 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby

amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A hereto annexed,¹ and made a part of this amendment and of said adopting order.

2. Adopting Order No. 6 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by striking out section 7 of said order and inserting in place thereof the following:

SEC. 7 (a) Records and sales slips. The provisions of section (e) of Basic Order No. 1 as amended covering sales slips and records are adopted in and applicable to this order as though specifically set forth herein; and also on any sale of \$25 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer
- (2) Date of Transaction
- (3) Place of Delivery
- (4) Complete description of each item sold and price charged

(b) Maximum prices for insufficiently described items. Where the seller's records or sales slip upon a sale of any commodity covered by this order in the area covered by this order, do not contain a sufficiently complete description to identify the exact nature, type, size, or quantity of the commodity, and thus determine the maximum price fixed by Revised Schedule A of this order, the maximum price applicable to such sale shall be the lowest maximum price which can be computed under Revised Schedule A of this order in accordance with the incomplete description.

3. Except as hereby amended, Adopting Order No. 6 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

4. This amendment shall become effective immediately.

Issued this 1st day of August 1946.

R. J. TARRANT,
District Director.

[F. R. Doc. 46-13418; Filed, Aug. 1, 1946;
1:55 a. m.]

[Newark Adopting Order 23 Under Basic Order 1 Under Gen. Order 68, Amdt. 1]

BUILDING MATERIALS IN CAMDEN AND
GLOUCESTER COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office, *It is hereby ordered:*

1. Adopting Order No. 23 under Basic Order No. 1 as amended, under General Order No. 68 as amended is hereby amended by striking out Schedule A annexed to said order and inserting in place

thereof Revised Schedule A hereto annexed¹ and made a part of this amendment and of said adopting order.

2. Adopting Order No. 23 under Basic Order No. 1 as amended, under General Order 68 as amended, is further amended by striking out section 4 of said order and inserting in place thereof the following:

SEC. 4. Discounts, allowances, and terms of sale. All maximum prices fixed by this order are delivered prices within a radius of 10 miles from the seller's nearest place of business. All customary allowances, discounts, and differentials must be preserved.

3. Adopting Order No. 23 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by striking out section 7 of said order and inserting in place thereof the following:

SEC. 7. (a) Records and sales slips. The provisions of section (e) of Basic Order No. 1 as amended covering sales slips and records are adopted in and applicable to this order as though specifically set forth herein; and also on any sale of \$25 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer
- (2) Date of Transaction
- (3) Place of Delivery
- (4) Complete description of each item sold and price charged

(b) Maximum prices for insufficiently described items. Where the seller's records or sales slip upon a sale of any commodity covered by this order in the area covered by this order, do not contain a sufficiently complete description to identify the exact nature, type, size, or quantity of the commodity, and thus determine the maximum price fixed by Revised Schedule A of this order, the maximum price applicable to such sale shall be the lowest maximum price which can be computed under Revised Schedule A of this order in accordance with the incomplete description.

4. Except as hereby amended, Adopting Order No. 23 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

5. This amendment shall become effective immediately.

Issued this 1st day of August 1946.

R. J. TARRANT,
District Director.

[F. R. Doc. 46-13417; Filed, Aug. 1, 1946;
11:54 a. m.]

[Region II Order G-18 Under Rev. SO 119]

FERGUSON BROTHERS MFG. CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 15, 16, and 19 of Revised Supplementary Order No. 119, it is ordered:

¹ Filed as part of the original document.

(a) *Manufacturer's ceiling prices.* Ferguson Brothers Mfg. Co., 720 Monroe Street, Hoboken, New Jersey may compute its adjusted ceiling prices for all articles of occasional furniture, which it manufactures, as follows:

(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 12.6%.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increasing by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined, or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Reseller's ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580, and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 590, shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a ceiling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling prices under that regulation as modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

If his supplier's invoice does not state an "unadjusted maximum price", the reseller shall calculate his ceiling price by adding to his invoice cost the same percentage mark-up which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose, the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(3) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of July 1946.

Issued this 27th day of July 1946.
JAMES L. MEADER,
Regional Price Administrator.

[F. R. Doc. 46-13419; Filed, Aug. 1, 1946;
11:55 a. m.]

[Raleigh 2d Rev. Order G-1 Under Gen.
Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office

of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, the appendices A and B in 2d Revised Order G-1 under General Order No. 50 are amended as follows:

APPENDIX A

PART I—BOTTLED BEERS AND ALES

Commodity and brand or trade name	Maximum prices per bottle					
	Group 1B		Group 2B		Group 3B	
	12- oz.	32- oz.	12- oz.	32- oz.	12- oz.	32- oz.
<i>Bier</i>						
Blatz Pilsner.....	\$0.25	\$0.50	\$0.20	\$0.45	\$0.17	\$0.42
Budweiser.....	.25	.50	.20	.45	.17	.42
Canadian Ace.....	.25	.50	.20	.45	.17	.42
Down's Arf and Arf.....	.25	.50	.20	.45	.17	.42
Edelbrew Special.....	.25	.50	.20	.45	.17	.42
Eichler.....	.25	.50	.20	.45	.17	.42
Loewers.....	.25	.50	.20	.45	.17	.42
Miller's High Life.....	.25	.50	.20	.45	.17	.42
Namar.....	.25	.50	.20	.45	.17	.42
Narragansett.....	.25	.50	.20	.45	.17	.42
National Premium.....	.25	.50	.20	.45	.17	.42
Pabst Blue Ribbon.....	.25	.50	.20	.45	.17	.42
Schlitz.....	.25	.50	.20	.45	.17	.42
Trim.....	.25	.50	.20	.45	.17	.42
Tru-Blu Old Fashioned.....	.25	.50	.20	.45	.17	.42
<i>Imported Beer</i>						
Carta Blanca.....	.35	.....	.30	.....	.27	.....
<i>Ale</i>						
Ballantine's XXX.....	.25	.50	.20	.45	.17	.42
Canadian Ace.....	.25	.50	.20	.45	.17	.42
Carling's Red Cap.....	.25	.50	.20	.45	.17	.42
Kreuger Cream Ale.....	.25	.50	.20	.45	.17	.42
<i>Special Ale</i>						
Champ.....	.30	.....	.25	.....	.21	.....
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix B hereof including unlabeled beer and ale.....	.20	.45	.15	.40	.13	.37

For beers and ales bottled in containers of odd sizes; that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

PART II—DRAUGHT BEERS AND ALES

Commodity and brand or trade name	Size	Maximum prices for groups		
		1B	2B	3B
All brands.....	8 oz.....	\$0.10	\$0.10	\$0.10
	9 oz.....	.11	.11	.11
	10 oz.....	.12	.12	.12

NOTE: For any size of container other than those set forth above, the maximum price for sellers of all groups shall be 1¢ per ounce of beverage.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above price if such tax is separately stated and collected.

FEDERAL REGISTER, Saturday, August 3, 1946

APPENDIX B

NOTE: This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B, but must determine his group on the basis of prices given for the other brands covered by Appendix A.

Commodity and brand or trade name	Maximum prices per bottle					
	Group 1B		Group 2B		Group 3B	
	12-oz.	32-oz.	12-oz.	32-oz.	12-oz.	32-oz.
Beer						
Barbarossa	\$0.20	\$0.45	\$0.20	\$0.45	\$0.17	\$0.42
Bay State	.20	.45	.20	.45	.17	.42
Berghoff	.20	.45	.20	.45	.17	.42
Black Label	.20	.45	.17	.42	.15	.40
Bohemian Premium	.20	.45	.17	.42	.15	.40
Bowdoin	.20	.45	.17	.42	.15	.40
Burger Brau	.20	.45	.20	.45	.17	.42
Camden Light Lager	.20	.45	.20	.45	.17	.42
Cold Springs	.20	.45	.17	.42	.15	.40
Doorschuck	.20	.45	.20	.45	.17	.42
Dorquest	.20	.45	.20	.45	.17	.42
Dover	.20	.45	.20	.45	.17	.42
Ehling's Extra	.20	.45	.20	.45	.17	.42
Ehret's Extra	.20	.45	.20	.45	.17	.42
Esslinger's	.20	.45	.20	.45	.17	.42
Fell's Extra	.20	.45	.17	.42	.15	.40
Free State	.20	.45	.20	.45	.17	.42
Genesee Lager	.20	.45	.20	.45	.17	.42
Gold Label	.20	.45	.20	.45	.17	.42
Gold Medal Tivoli	.20	.45	.20	.45	.17	.42
Gunther's	.20	.45	.17	.42	.15	.40
Heirloom Premium	.20	.45	.20	.45	.17	.42
Hi-Brau	.20	.45	.17	.42	.15	.40
Hohenadel	.20	.45	.20	.45	.17	.42
Holland	.20	.45	.20	.45	.17	.42
Hormung's	.20	.45	.20	.45	.17	.42
Koenig Brau	.20	.45	.20	.45	.17	.42
Koenig's Special	.20	.45	.17	.42	.15	.40
Kreuger	.20	.45	.20	.45	.17	.42
Lambic	.20	.45	.20	.45	.17	.42
Lang's	.20	.45	.17	.42	.15	.40
Lebanon Valley	.20	.45	.17	.42	.15	.40
Lion	.20	.45	.20	.45	.17	.42
Morlein	.20	.45	.17	.42	.15	.40
Nectar	.20	.45	.20	.45	.17	.42
P. O. S.	.20	.45	.20	.45	.17	.42
Peters	.20	.45	.17	.42	.15	.40
Pilsner's Original	.20	.45	.17	.42	.15	.40
Red Fox	.20	.45	.17	.42	.15	.40
Red Rose	.20	.45	.17	.42	.15	.40
Ruppert Knickerbocker-NY	.20	.45	.20	.45	.17	.42
Supreme	.20	.45	.20	.45	.17	.42
Tedeafer	.20	.45	.17	.42	.15	.40
Topaz	.20	.45	.20	.45	.17	.42
Victory Premium	.20	.45	.17	.42	.15	.40
White Cap	.20	.45	.20	.45	.17	.42
Ale						
Bay State	.20	.45	.20	.45	.17	.42
Cremo	.20	.45	.17	.42	.15	.40
Dover	.20	.45	.20	.45	.17	.42
Esslinger's Little Man	.20	.45	.20	.45	.17	.42
Graham's XXX	.20	.45	.17	.42	.15	.40
Koenig's Special	.20	.45	.17	.42	.15	.40
Lang's	.20	.45	.17	.42	.15	.40
New England	.20	.45	.20	.45	.17	.42
Pilsner's Original	.20	.45	.17	.42	.15	.40
Red Top	.20	.45	.20	.45	.17	.42
Tedeafer	.20	.45	.17	.42	.15	.40

For beers and ales bottled in containers of odd sizes; that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above price if such tax is separately stated and collected.

This Amendment No. 1 becomes effective May 10, 1946.

Issued this 6th day of May 1946.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 46-13420; Filed, Aug. 1, 1946;
11:55 a. m.]

[Region VI Order G-3 Under 3 (e)]

IMPORTED MEXICAN BEER IN CHICAGO REGION

For reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation: It is hereby ordered:

(a) This order shall not apply to any sales of imported beer, the maximum price for which sales have been or which can be established under § 1499.2 of the General Maximum Price Regulation.

(b) That the maximum prices for sales by a primary distributor and for sales at wholesale and retail (except for consumption on the sellers' premises), not excluded by paragraph (a) above, in Region VI, consisting of the states of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin and Lake County, Indiana, of the beer imported from Mexico known as, and sold under the trade name of "Tecate" in cartons of 24 bottles of 11 ozs. each are as follows:

(1) *Maximum prices for sales by a primary distributor.* The maximum price for sales by a primary distributor delivered to the purchaser's receiving point, shall be as follows:

(a) In returnable cartons: \$3.83 per carton.

(b) In non-returnable cartons consisting of—

New bottles and new cartons: \$4.39 per carton.

New bottles and used cartons: \$4.36 per carton.

Used bottles and new cartons: \$4.29 per carton.

Used bottles and old cartons: \$4.26 per carton.

(2) *Maximum prices for sales at wholesale.* The maximum price for sales at wholesale delivered to the purchaser's premises, state tax paid, shall be \$4.82 per carton.

(3) *Maximum prices for sales at retail.* The maximum price for sales at retail for consumption off the retailer's premises, shall be 27¢ per 11-oz. bottle.

(4) *Container deposits.* Sellers may require a container deposit charge of 22¢ for each fiber board carton and 2¢ additional for each 11 oz. bottle. All deposits shall be refunded to the purchaser upon the return of the empty containers. The cost of the return of empty containers is included in the maximum prices above set forth.

(5) *Notice.* Each seller at wholesale shall place in each carton of beer or attach to each invoice covering the beer sold under this order, a notice substantially as follows:

NOTICE

Order No. G-3 issued by the Chicago Regional Office of the Office of Price Administration under § 1499.3 (e) (2) of the General Maximum Price Regulation fixes the maximum price of Tecate beer for sale at retail, for off-premise consumption at 27¢ per 11-oz. bottle for those sellers who have not, or may not establish their maximum prices for sale of this brand of beer under § 1499.2 of General Maximum Price Regulation, and fixes container deposit charges at 22¢ per fiber board carton, and an additional 2¢ per 11-oz. bottle. Deposits must be re-

funded to the purchaser upon return of the empty containers.

(c) *Definitions.* (1) "Sales by primary distributor" means a sale by a person who physically delivers the beer into Region VI from a point outside of the region.

(2) "Sale at wholesale" means a sale by a person who buys "Tecate" beer and resells it, to any person other than the ultimate consumer, except that for the purpose of this order, a sale by a primary distributor shall not be considered as a sale at wholesale.

(3) "Sale at retail" means a sale or selling to an ultimate consumer.

(4) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Revocation of Order No. G-2.* Regional Order No. G-2 under § 1499.3 (e) (2) of the General Maximum Price Regulation is hereby revoked.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

(f) *Effective date.* This order shall be effective June 20, 1946.

Issued this 12th day of June 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-13254; Filed, July 30, 1946;
12:37 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register July 26, 1946:

Region I

Connecticut Order 2-D, Amendment 1, covering butter and cheese sold by Groups 1 and 2 stores. Filed 9:53 and 9:54 a. m.

Montpelier Order 2-F, Amendment 61, covering fresh fruits and vegetables in certain counties in Vermont. Filed 9:53 a. m.

Montpelier Order 15, Amendment 8, covering dry groceries in the State of Vermont. Filed 9:52 a. m.

Montpelier Order 2-W, Amendment 8, covering dry groceries in the State of Vermont. Filed 9:53 a. m.

Montpelier Order 1-D, Amendment 5, covering butter and cheese in the State of Vermont. Filed 9:53 a. m.

Region VI

Green Bay Order 7-W, Amendment 3, covering dry groceries in certain areas in Wisconsin. Filed 9:54 a. m.

Green Bay Order 8-W, Amendment 3, covering dry groceries in certain areas in Wisconsin. Filed 9:54 a. m.

Green Bay Order 9-W, Amendment 3, covering dry groceries in certain counties in Wisconsin. Filed 9:54 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-13256; Filed, July 30, 1946;
4:37 p. m.]

[Region VI Order G-37 Under RMPR 122]

SOLID FUELS IN CHICAGO REGION

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an opinion issued here-with, it is ordered:

(a) *What this order does.* This order adjusts the maximum prices for the sale of certain types of Pennsylvania Anthracite as specified below by dealers who obtain such fuel from the mines by all-rail facilities.

(b) *Geographical applicability.* This order applies to all sales in which the buyer receives physical delivery within the areas covered by each area pricing order in Region VI, which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin and Lake County, Indiana.

(c) *Price adjustments.* Dealers whose maximum prices for the sale of solid fuel are established by any of Region VI Order Nos. G-1 to G-16 under Revised Maximum Price Regulation No. 122, as amended, and appendices thereto, and any other Region VI area pricing orders issued under that regulation, are hereby permitted to increase their maximum prices as specified below:

(1) On sales of the following types of Pennsylvania Anthracite fuel by dealer who obtain such fuel from mines over all-rail facilities the maximum prices may be increased as follows:

- (i) Broken, egg, stove, and chestnut: \$1.50 per ton.
- (ii) Pea: \$1.00 per ton.
- (iii) Buckwheat: 70¢ per ton.
- (iv) Rice: 60¢ per ton.
- (v) Barley: 50¢ per ton.
- (vi) Smaller than barley: 40¢ per ton.

(d) This Order No. G-37 shall remain in effect in each area covered by a Region VI area pricing order until such area is amended to reflect the price increase permitted herein and to supersede this Order No. G-37.

(e) *Effect of order on Revised Maximum Price Regulation No. 122.* Insofar as any provision of this order may be inconsistent with the provisions of Revised Maximum Price Regulation No. 122, as amended, the provision contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

(f) This order may be revoked, amended, or modified at any time.

This Order No. G-37 shall become effective June 25, 1946.

Issued this 25th day of June 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-13441; Filed, Aug. 1, 1946;
4:40 p. m.]

[Region VIII Order G-84 Under 18 (c),
Amdt. 2]

TRANSPORTATION SERVICES IN CALIFORNIA

An opinion accompanying this amendment has been issued simultaneously.

No. 151—6

ously herewith. Order No. G-84 under § 1499.18 (c), as amended of the General Maximum Price Regulation is amended as follows:

(b) The term "minimum rate as established by the Railroad Commission of the State of California" means the applicable minimum rate determined under any decision in the case numbers listed below in effect at the date set opposite such case number issued by the Railroad Commission of the State of California or issued by the said Commission pursuant to any application for permission to charge rates lower than those specified in any such decision. Cases 4084, 4108, 4121, 4246, 4293, and 4434, December 28, 1943, 4084, May 31, 1946.

This amendment shall become effective May 31, 1946.

Issued this 8th day of July, 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-13442; Filed, Aug. 1, 1946;
4:41 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-165]

WM. FILENE'S SONS CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of August, A. D. 1946.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the common stock, no par value, of Wm. Filene's Sons Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 12, 1946.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 46-13464; Filed, Aug. 2, 1946;
10:12 a. m.]

[File No. 812-405]

AMERICAN PUBLIC WELFARE TRUST AND
A. P. W. PRODUCTS CO., INC.

NOTICE AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 1st day of August, A. D. 1946.

American Public Welfare Trust has filed an application pursuant to the pro-

visions of 6 (c), 8 (f) and 17 (b) of the Investment Company Act of 1940 for an order or orders (1) exempting American Public Welfare Trust from the provisions of section 30 of said act and the rules and regulations promulgated thereunder; (2) exempting from the provisions of section 17 (a) the purchase by A. P. W. Products Company, Inc. from American Public Welfare Trust for \$30,100 of an option held by American Public Welfare Trust to purchase at par \$133,150 principal amount of unassented 25 year 6% Convertible Gold Notes, due July 1, 1955, of A. P. W. Paper Company, Inc.; (now A. P. W. Products Company, Inc.); and (3) declaring that American Public Welfare Trust has ceased to be an investment company.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on the 9th day of August at 10 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Willis E. Monty, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the above-named applicant, to A. P. W. Products Company, Inc., and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 46-13461; Filed, Aug. 2, 1946;
10:11 a. m.]

[File No. 70-1241]

STANDARD GAS AND ELECTRIC CO.

SUPPLEMENTAL ORDER EXTENDING TIME FOR CONSUMMATION OF PROPOSED SALE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of July 1946.

The Commission having previously issued two supplemental orders in the above-entitled matter (Holding Company Act Release Nos. 6706 and 6733) granting extensions of time until June 22 and July 31, 1946, respectively, for the consummation of the proposed sale by Standard Gas and Electric Company of its investment in Empresa de Servicios Publicos de los Estados Mexicanos, S. A. to Theodore E. Shepard for \$858,000 cash; such proposed sale having heretofore been approved by order of the Commission dated April 15, 1946 (Holding Company Act Release No. 6557); and

Standard Gas and Electric Company on July 30, 1946, having filed a request

FEDERAL REGISTER, Saturday, August 3, 1946

for a further extension of time to August 15, 1946, within which to consummate said proposed sale, subject to an extension of time thereafter to October 15, 1946, if the purchaser makes an additional earnest money payment of \$50,000 prior to the close of business on August 15, 1946. *And provided*, That interest at the rate of 3% per annum be paid on the balance of the purchase price for the period from August 1, 1946 to the date of closing; and

The Commission having considered the matter and deeming it appropriate that such request be granted;

It is hereby ordered, That the time for consummation of the proposed sale by Standard Gas and Electric Company of its investment in Empresa de Servicios Publicos de los Estados Mexicanos, S. A. to Theodore E. Shepard heretofore approved by order of this Commission dated April 15, 1946 (Holding Company Act Release No. 6557), be and the same is hereby extended to October 15, 1946, subject to the terms of said request and subject to the terms and conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 46-13462; Filed, Aug. 2, 1946;
10:12 a. m.]

pany having a par value of \$25 per share, owned by The North American Company, at the rate of one share of common stock of Pacific Gas and Electric Company on each 100 shares of the common stock of The North American Company outstanding. No certificates will be issued for fractions of shares of stock of Pacific Gas and Electric Company, but, in lieu thereof, cash will be paid at the rate of forty-two cents for each 1/100 of a share of stock of Pacific Gas and Electric Company, this rate being based on the approximate market price of \$42 per share as of July 24, 1946, the date on which the proposed dividend was declared. The North American Company's estimates that the payment of the above-mentioned dividends will involve the distribution of not more than 75,000 shares of the 356,679 shares of common stock of Pacific Gas and Electric Company owned by it and use of not more than \$560,000 of cash, and that the payment of such dividend will result in a charge of approximately \$2,900,000 to earned surplus.

The North American Company has requested that the Commission enter an order permitting said declaration to become effective or granting said application on or before August 20, 1946, and that such order conform to the requirements of Section 1808 (f) of the Internal Revenue Code, as amended.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 40-13460; Filed, Aug. 2, 1946;
10:11 a. m.]

[File No. 70-1342]

NORTH AMERICAN CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of August 1946.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company.

Notice is further given that any interested person may not later than August 12, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter said declaration or application as filed or as amended may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

The North American Company proposes to pay on October 1, 1946, a dividend to its holders of common stock of record on September 3, 1946. Such dividend will be payable in the common stock of Pacific Gas and Electric Com-

[File No. 16-1A12]

GREENE & CO. AND NATIONAL ASSN. OF
SECURITIES DEALERS, INC.

ORDER APPROVING CONTINUANCE IN MEMBERSHIP IN NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of July, A. D. 1946.

In the matter of petition of National Association of Securities Dealers, Inc. on behalf of Greene & Company for approval of continuance in membership in the National Association of Securities Dealers, Inc. File No. 16-1A12.

The National Association of Securities Dealers, Inc., a national securities association registered under section 15A of the Securities Exchange Act of 1934, having made application pursuant to section 15A (b) (4) of that act for an order approving the continuance of Greene & Company in membership in the National Association of Securities Dealers, Inc. with W. F. Thompson acting as a partner or employee thereof;

A hearing having been held after appropriate notice, and the Commission being duly advised and having this day issued its findings and opinion herein;

It is ordered, On the basis of said findings and opinion, that said application be and it hereby is granted.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 46-13463; Filed, Aug. 2, 1946;
10:12 a. m.]

[File No. 1-1335]

ST. LOUIS CAR CO.

ORDER GRANTING APPLICATION TO STRIKE
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of August A. D. 1946.

The St. Louis Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 6% First Mortgage Sinking Fund Gold Bonds Unextended, due 1935, of St. Louis Car Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 12, 1946.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 46-13465; Filed, Aug. 2, 1946;
10:12 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 316]

COSTS AND EXPENSES INCURRED IN CERTAIN
ACTIONS OR PROCEEDINGS IN CERTAIN
CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 4 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with

in the interest, and for the benefit, of the United States, from the property which each of the persons named in said Column 1 of said Exhibit A obtains or is determined to have as a result of the action or proceeding described in said Column 3 of said Exhibit A the sums stated in said Column 4 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit

the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as

may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 24, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Kisatsio K. Stamatou.....	Greece.....	Item 1 Estate of Antonios K. Christou, also known as T. Christ, also known Tom Christ, also known as Tony Christ, also known as Tony Christos, also known as Tony Christonson, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 92149.	\$5.00
George K. Stamatou.....	Greece.....	Item 2 Same.....	5.00
Kokitsa K. Christou.....	Greece.....	Item 3 Same.....	35.00
Marie Pallas.....	Greece.....	Item 4 Estate of Mavrikios P. Sava, also known as Maurice Pallas, also known as Mavrikios Panagiotou, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 93821.	15.00
Son (name unknown) of Mavrikios P. Sava, deceased.....	Greece.....	Item 5 Same.....	15.00
George M. Tricas.....	Greece.....	Item 6 Estate of Peter M. Tricas, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. 218898.	52.00
Marigo Christ Skouras.....	Greece.....	Item 7 Same.....	13.00
Wife (name unknown) of Andres N. Marcelo, deceased.....	Philippine Islands.....	Item 8 Estate of Andres N. Marcelo, also known as Andrew N. Marcelo, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 94838.	31.00
Ivana Russ.....	Jugoslavia.....	Item 9 Estate of Anton Russ, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 88926.	15.00
Antonia Bartol.....	Jugoslavia.....	Item 10 Same.....	15.00
Charles Mouly.....	France.....	Item 11 Estate of Henry Mouly, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. 144020.	98.00

[F. R. Doc. 46-13289; Filed, July 31, 1946; 9:34 a. m.]

[Vesting Order 6748]

HARM DIRKS

In re: Estate of Harm Dirks, deceased.
File D-28-10028; E. T. sec. 14226.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Johann Hummels, Carl Hummels, two children, names unknown, of Heinrich Hummels, deceased, and Anna, Reka, Christina, and Tina, last names unknown, daughters of Christina Hummels, Germany;

Nationals and Last Known Address

Johann Hummels, Germany.
Carl Hummels, Germany.
Two children, names unknown, of Heinrich Hummels, deceased, Germany.
Anna, Reka, Christina, and Tina, last names unknown, daughters of Christina Hummels, Germany.

That such property is in the process of administration by the Bank of America National Trust and Savings Association, as Executor of the Estate of Harm Dirks, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Fresno;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, in-

cluding appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13353; Filed, Aug. 1, 1946;
9:53 a. m.]

[Vesting Order 6878]

LAWYERS MORTGAGE CO.

In re: Mortgage Participation Certificate #30 in Series 101,578 issued to Graf Georg zu Lynar by Lawyers Mortgage Company. File No. F-28-12629; E. T. sec. 3991.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 30 issued and guaranteed by Lawyers Mortgage Company under Mortgage No. 101,578, and the right to the transfer and possession of any and all instruments evidencing such rights and interests, is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address
Graf Georg zu Lynar, Germany.

That such property is in the process of administration by William P. Thomas, Benjamin Antin and Harry G. McDonough, acting as Trustees under a Declaration of Trust, dated January 22, 1938, under the judicial supervision of the Supreme Court, Bronx County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13354; Filed, Aug. 1, 1946;
9:53 a. m.]

[Vesting Order 6965]

AUGUSTA FRENZEL

In re: Debt owing to and bank account owned by Augusta Frenzel. F-28-19795-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Augusta Frenzel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Augusta Frenzel, by Harry and Lucy Melickian, in the amount of \$1,271.75, as of December 31, 1945, evidenced by a note, dated November 28, 1939, issued by Harry and Lucy Melickian, presently in the custody of Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles 54, California, together with such note, and any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles 54, California, arising out of a commercial account, entitled Marie Lehmer Heerde and Bruno Heerde as Trustees for Augusta Frenzel, maintained at the branch office of the aforesaid bank located at Fifth and Spring Streets, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account

of, or owing to, or which is evidence of ownership or control by, Augusta Frenzel, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13355; Filed, Aug. 1, 1946;
9:53 a. m.]

[Vesting Order 6966]

LUDWIG ABRAHAM FREUND ET AL.

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Ludwig Abraham Freund, deceased. F-28-23669-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the personal representatives, heirs, next of kin, legatees and dis-

tributaries, names unknown, of Ludwig Abraham Freund, deceased, whose last known addresses are Germany, are residents of Germany and are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Ludwig Abraham Freund, deceased, by Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, arising out of a savings account, Account Number 39284, entitled Harriet Walton Woodward and Otto Kahn Freund, Co-Trustees U/W of Ludwig Abraham Freund, c/o Hopkins, Satter, Halls & De Wolfe, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13356; Filed, Aug. 1, 1946;
9:53 a. m.]

[Vesting Order 6967]

ANNA GATJEN

In re: Bank account owned by Anna Gatjen. F-28-9806-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Anna Gatjen, whose last known address is 26, Daverden, District Verden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Anna Gatjen, by American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, Account Number 5213, entitled Anna Gatjen, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date

hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13357; Filed, Aug. 1, 1946;
9:53 a. m.]

[Vesting Order 6968]

MARIA GERKEN ET AL.

In re: Bank account owned by personal representatives, heirs, next of kin, legatees and distributees; name unknown, of Maria Gerken, deceased. F-28-22633-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Maria Gerken, deceased, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Maria Gerken, deceased, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, New York, arising out of a savings account, Account Number 638,085, entitled Maria Gerken, deceased, maintained at the office of the aforesaid bank located at 157 Fourth Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to

be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13358; Filed, Aug. 1, 1946;
9:53 a. m.]

[Vesting Order 6969]

MARIA GIUDICE

In re: Bank account owned by Maria Giudice, also known as Maria Guidice. F-28-23863-E-1; F-28-23863-C-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Maria Giudice, also known as Maria Guidice, whose last known address is Eschersheimerland Strasse 283, Frankfurt a/Main, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Maria Giudice, also known as Maria Guidice, by First Wisconsin National Bank, 743 North Water Street, Milwaukee 1, Wisconsin, arising out of a savings account, Account Number 20890, entitled Maria Guidice, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within

a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13359; Filed, Aug. 1, 1946;
9:54 a. m.]

[Vesting Order 6970]

FRAU WM. AUG. GOEVERT

In re: Bank account owned by Frau Wm. Aug. Goever. F-28-22958-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Frau Wm. Aug. Goever, whose last known address is Rodde. Bhf. Westfalen, Ueber Rheine, Westfalen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Frau Wm. Aug. Goever, by The First National Bank, Glencoe, Minnesota, arising out of a checking account, entitled Frau Wm. Aug. Goever, and

any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13360; Filed, Aug. 1, 1946;
9:54 a. m.]

[Vesting Order 6971]

KARL GREWING

In re: Bank account owned by Karl Grewing. F-28-22632-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Karl Grewing, whose last known address is Germany, is a resident

of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Karl Grewing, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, New York, arising out of a savings account, Account Number 1,183,554, entitled Marie Grewing in trust for Karl Grewing, maintained at the office of the aforesaid bank located at 157 Fourth Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13361; Filed, Aug. 1, 1946;
9:54 a. m.]

[Vesting Order 6973]

ELISABETH GRODE

In re: Bank account owned by Elisabeth Grode. F-28-22634-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elisabeth Grode, whose last known address is Rheinhessen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Elisabeth Grode, by Central Savings Bank in the City of New York, 2100 Broadway, New York, New York, arising out of a savings account, Account Number 753,070, entitled Elisabeth Grode, maintained at the branch office of the aforesaid bank located at Fourteenth Street, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13362; Filed, Aug. 1, 1946;
9:54 a. m.]

[Vesting Order 6974]

ELIZABETH GRUEBEL

In re: Bank account owned by Elizabeth Gruebel. F-28-22635-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elizabeth Gruebel, whose last known address is Psychiatric Clinic, Hamburg, Eilbecktal, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Elizabeth Gruebel, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, New York, arising out of a savings account, Account Number 1195928, entitled Elizabeth Gruebel, maintained at the branch office of the aforesaid bank located at 157 4th Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof,

FEDERAL REGISTER, Saturday, August 3, 1946

if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13363; Filed, Aug. 1, 1946;
9:54 a. m.]

[Vesting Order 6975]

ELSE GRUNER

In re: Bank account owned by Else Gruner. F-28-9928-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Else Gruner, whose last known address is Schwepnitz, Saxony, Ger-

many, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of National Bank of Detroit, 660 Woodward Avenue, Detroit 32, Michigan, arising out of a savings account, Account Number 92741 M. O., entitled Fritz Missbach as attorney for Else Gruner, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Else Gruner, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13364; Filed, Aug. 1, 1946;
9:55 a. m.]